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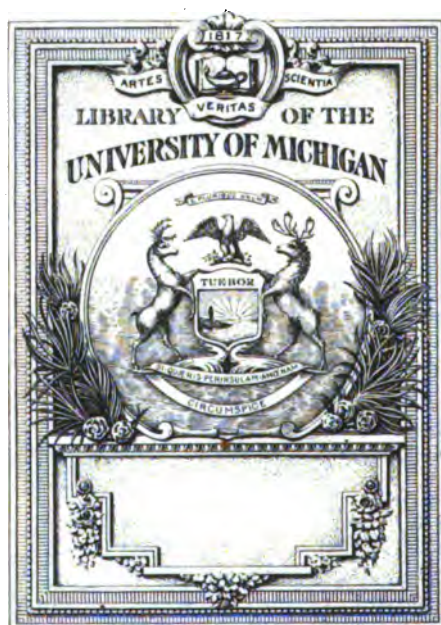
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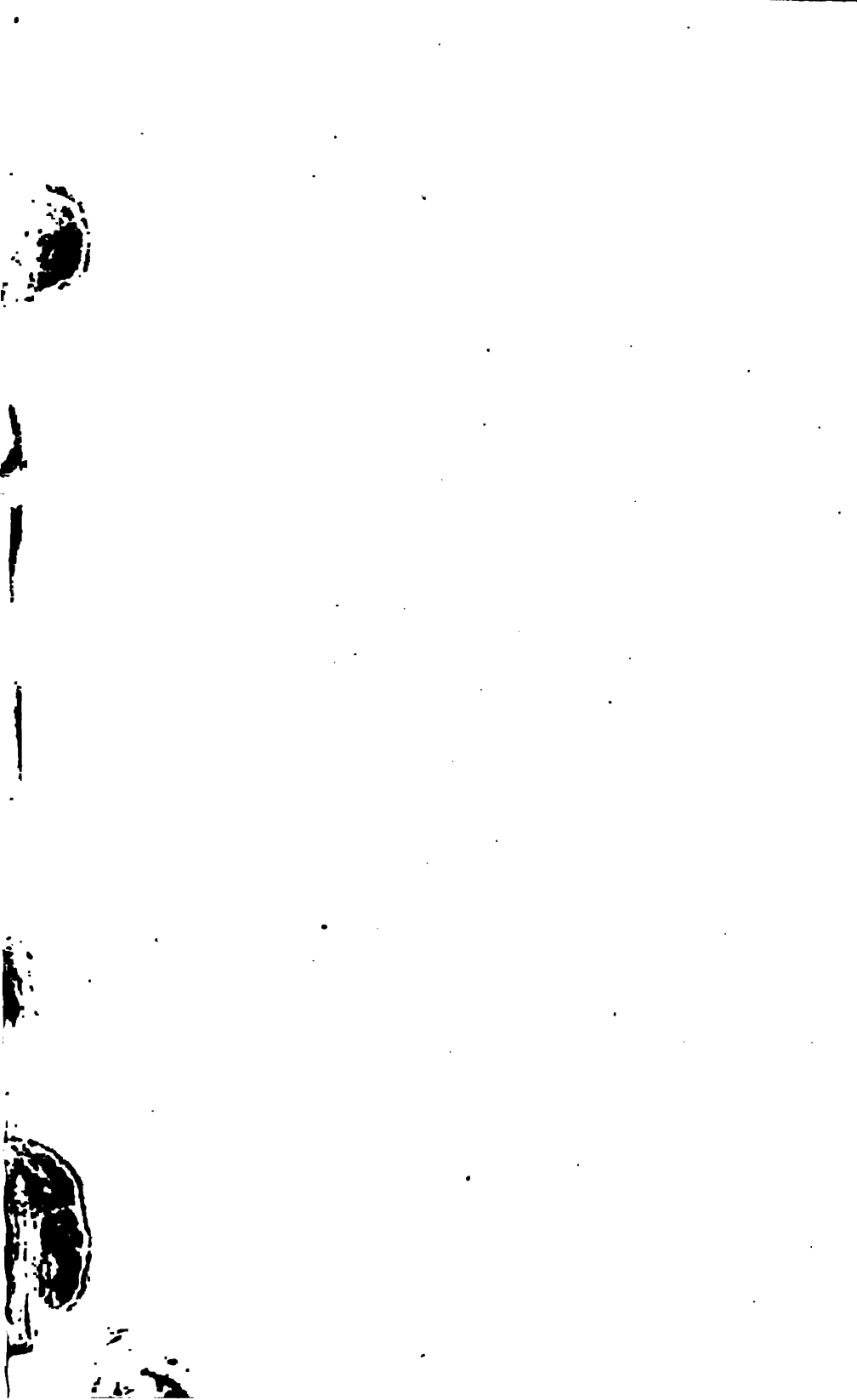
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JOURNAL  
OF THE  
A S S E M B L Y  
OF THE  
STATE OF NEW YORK:

AT THEIR  
ONE HUNDRED AND THIRD SESSION.

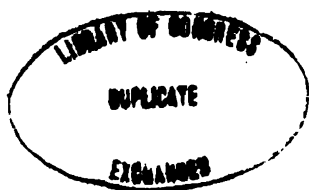
BEGUN AND HELD AT THE CAPITOL, IN THE CITY OF ALBANY, ON THE  
SIXTH DAY OF JANUARY, 1880.

Vol I



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1880.

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# JOURNAL OF THE ASSEMBLY.

## STATE OF NEW YORK:

ASSEMBLY CHAMBER, IN THE CITY OF ALBANY.

TUESDAY, JANUARY 6, 1880.

Pursuant to section six of article ten of the Constitution of this State, the gentlemen whose names are given in the following list appeared in the Assembly chamber. The said list contains the names of the representatives elected to the Assembly in the several districts, for the current year as certified by the Secretary of State, viz :

STATE OF NEW YORK,  
OFFICE OF THE SECRETARY OF STATE, }  
ALBANY, *January 6, 1880.*

From the returns on file in this office, it duly appears that the following named persons were duly elected to the office of member of Assembly at the general election held in and for the State of New York on the fourth day of November, 1879, viz :

County.	District.	Name.
Albany. ....	1	William H. Slingerland.
	2	Hiram Griggs.
	3	Ignatius Wiley.
	4	Joseph Hynes.
Allegany .....	..	Samuel H. Morgan.
Broome .....	..	Alexander E. Andrews.
Cattaraugus .....	1	Zenas G. Bullock.
	2	Joseph Miller Congdon.
Cayuga .....	1	Harvey D. Ferris.
	2	Hector H. Tuthill.
Chautauqua .....	1	Charles P. Ingersoll.
	2	Smith Clark.
Chemung .....	..	Henry C. Hoffman.
Chenango .....	..	Oscar H. Curtis.
Clinton .....	..	William P. Mooers.
Columbia .....	..	John Elbert Gillette.
Cortland .....	..	Samuel A. Childs.
Delaware .....	..	Robert Beates.
Dutchess .....	1	Isaac S. Carpenter.
	2	Cornelius Pitcher.
Erie .....	1	Jules O'Brien.
	2	Frank Sipp.
	3	James Ash.



County.	District.	Name.
Erie .....	4	James A. Roberts.
	5	Harvey J. Hurd.
Essex .....		Warren French Weston.
Franklin .....		William D. Brennan.
Fulton and Hamilton .....		David A. Wells.
Genesee .....		John Sanders.
Greene .....		Albert Parker.
Herkimer .....		William D. Gorsline.
Jefferson .....	1	Charles R. Skinner.
	2	John D. Ellis.*
Kings.....	1	John Shanley.
	2	John McTernan.
	3	Lawrence J. Tormey.
	4	John M. Clancy.
	5	Thomas J. Sheridan.
	6	Patrick J. Tully.
	7	George Wren.
	8	David Lindsay.
	9	Charles H. Russell.
	10	Richard J. Newman.
	11	Daniel W. Tallmadge.
	12	Erastus D. Benedict.
Lewis ....		Charles A. Chickering.
Livingston .....		Archibald Kennedy.
Madison .....		Gerrit Smith Miller.
Monroe .....	1	George Le Grand Seely.
	2	Charles S. Baker.
	3	Frederick P. Root.
Montgomery .....		John Warner.*
New York .....	1	James Fitzgerald.
	2	Thomas P. Walsh.
	3	George P. Gibbs.
	4	John Henry McCarthy.
	5	Warren C. Bennett.
	6	Patrick O'Connor.
	7	Isaac I. Hayes.
	8	John E. Brodsky.
	9	George B. Deane.
	10	Edward Grosse.
	11	James M. Varnum.
	12	Louis Cohen.
	13	Charles Holland Duell.
	14	James J. Costello.*
	15	Michael J. Dougherty.
	16	Edward P. Hagen.
	17	Frank P. Treanor.
	18	William Cushing.
	19	Joseph J. McAvoy.
	20	Frederick Thilemann, Jr.
	21	Edward Mitchell.
	22	John T. McDonald.
	23	Nathaniel B. Terpeny.
	24	James Lee Wells.

County.	District.	Name.
Niagara .....	1	Th. N. Van Valkenburgh.
	2	James Low.
Oneida .....	1	Henry J. Cookinham.
	2	James A. Douglass.
	3	David Gray.
Onondaga .....	1	Thomas G. Alvord.
	2	Albert Howland.
	3	Henry L. Duguid.
Ontario .....	..	Charles R. Case.
Orange .....	1	Morgan Shuit.
	2	James E. Waterbury.
Orleans .....	..	Marcus H. Phillips.
Oswego .....	1	Patrick W. Cullinan.
	2	William H. Steele.
Otsego .....	1	Azro Chase.
	2	Nathan Bridges.
Putnam .....	..	George McCabe.
Queens .....	1	William J. Youngs.
	2	B. Valentine Clowes.
Rensselaer .....	1	La Mott W. Rhodes.
	2	Albert C. Comstock.
	3	Barnis C. Strait.
Richmond .....	..	Oliver Fiske.
Rockland .....	..	James W. Husted.
St. Lawrence .....	1	Daniel Peck.
	2	Worth Chamberlain.
	3	Ebenezer S. Crapser.
Saratoga .....	1	Benjamin F. Baker.
	2	Delcour S. Potter.
Schenectady .....	..	Arthur D. Mead.
Schoharie .....	..	Robert Grant Havens.
Schuyler .....	..	Lewis Beach.
Seneca .....	..	David H. Evans.
Steuben .....	1	John W. Davis.
	2	Russell M. Tuttle.
Suffolk .....	..	Everett A. Carpenter.
Sullivan .....	..	Alpheus Potts.
Tioga .....	..	Edward G. Nowlan.
Tompkins .....	..	Charles M. Titus.
Ulster .....	1	George H. Sharpe.
	2	Peter D. Lefever.
	3	Thomas E. Benedict.
Warren .....	..	Henry P. Gwinup.
Washington .....	1	Hiram Sisson.
	2	George L. Terry.
Wayne .....	1	Alfred P. Crafts.
	2	Jefferson Sherman.
Westchester .....	1	David Ogden Bradley.
	2	William H. Catlin.
	3	David W. Trovis.
Wyoming .....	..	Orange L. Tozier.
Yates .....	..	Asa P. Fish.

In testimony whereof I have hereunto set my hand and affixed my official seal at the city of Albany, N. Y., this sixth day of January, A. D. 1880.

[L. s.]

JOSEPH B. CARR,

*Secretary of State.*

The members elect were called to order at eleven o'clock A. M., by Edward M. Johnson, Clerk of the last Assembly.

The proceedings were opened with prayer by Rev. Dr. Magee.

The Hon. Joseph B. Carr, Secretary of State, administered to the members present the oath of office, prescribed by section one of article twelve of the Constitution of this State, and said oath was thereupon subscribed by the members.

Mr. C. S. Baker offered for the consideration of House a resolution in the words following:

*Resolved*, That this House do now proceed to the election of Speaker; that the roll of members be called by the Clerk, and that each member, as his name is called, rise in his place and openly name his choice for such office, and after the election of Speaker shall have been determined, we proceed to the election of Clerk in the same manner.

The Clerk put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The House then proceeded to the election of Speaker.

The Clerk called the roll, whereupon each member, as his name was called, rose in his place and nominated as follows:

### FOR GEORGE H. SHARPE.

Alvord	Cookinham	Ingersoll	Sherman
Andrews	Crafts	Kennedy	Shuit
Ash	Crapser	Lefever	Sipp
Baker, B. F.	Cullinan	Lindsay	Sisson
Baker, C. S.	Curtis	Low	Skinner
Beach	Davis	McCabe	Slingerland
Beates	Deane	Miller	Steele
Bradley	Douglass	Mitchell	Tallmadge
Brennan	Duell	Mooers	Terry
Bridges	Duguid	Morgan	Titus
Brodsky	Evans	Nowlan	Tozier
Bullock	Ferris	O'Brien	Travis
Carpenter, E. A.	Fish	Peck	Tuthill, H. H.
Carpenter, I. S.	Fiske	Phillips	Tuttle, R. M.
Case	Gillette	Pitcher	Van Valkenburgh
Chamberlain	Gorsline	Potter	Vernum
Chase	Gray	Potts	Waterbury
Chickering	Griggs	Roberts	Wells, D. A.
Childs	Grosse	Root	Wells, J. L.
Clark	Hayes	Russell	Weston
Clowes	Howland	Sanders	Wren
Comstock	Husted	Seely	Youngs
Congdon	Hurd		

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### FOR JOHN SHANLEY.

Benedict, E. D.	Gibbs	McDonald	Strait
Benedict, T. E.	Gwinup	McTernan	Terpeny
Bennett	Hagan	Mead	Thilemann
Catlin	Havens	Newman	Tormey

Glancy  
Cohen  
Cushing  
Dougherty  
Fitzgerald

Hoffman  
Hynes  
McAvoy  
McCarthy

O'Connor  
Parker  
Rhodes  
Sheridan

Treanor  
Tully  
Walsh  
Wiley

George H. Sharpe having received a majority of all the votes given, the Clerk declared he was duly elected Speaker of the Assembly.

The Clerk appointed Messrs. Alvord and Shanley to conduct the Speaker-elect to the chair.

On taking the chair he addressed the House as follows :

*Gentlemen of the Assembly :*

For the honor of being selected as your Speaker, I offer you my sincere thanks. I must be sensible of the frank spirit and the chivalrous feeling through which honorable members from different sections, and with differing preferences, reached one conclusion. I see before me tried and honored legislators; and I thoroughly feel the indulgent sentiment through which alone your choice could have fallen upon me. The result reached is an evidence of the generosity of the Assembly.

This position imposes high public obligations, and in the present instance there is added a keen sense of the best endeavor which is due in return for your confidence.

In a legislative body the minority has rights and the majority has responsibilities. To protect one, and to execute the will of the other are equally the duties of the officer who presides over both. Asking your support and forbearance, it will be my aim to administer the commission given me with fairness and impartiality, and with a constant remembrance of the higher allegiance we owe to the people who sent us here. We meet at an important time and under auspicious circumstances.

There is neither here nor in co-ordinate branches such a division as might serve as a check ; while on the other hand there is unity and strength, which, rightly used, confer the largest power of good. Our responsibilities are commensurate with the degree of public trust. Recent constitutional amendments have greatly reduced the volume of legislation. The wholesome changes, and a quickened sense of public demands have raised the legislative standard. To maintain this character will exact vigilance and fidelity. To advance it still farther, which should be our aim, will require our highest purpose and best endeavor. Let us be prompt in action, faithful and intelligent in our response to public sentiment, and let us have a short session.

It is not for me to indicate your policy. But it is for all of us to remember that, whatever our professions, our good faith can only be attested by practical action. We shall be judged not by what we say, but by what we do. The majority appealed to the people upon clear principles, and definite public objects, and we shall be justly held accountable for the manner in which the pledges are kept.

Relief from public burdens, and the protection of public rights should be the first care of public representatives. After a long period of financial derangement the country is re-established upon the enduring basis of specie payments, and it is expected that the public expenditures shall be made to conform to this standard.

Local burdens are most oppressive, and the people demand the application of the pruning-knife, wherever it is practicable.

There are other questions upon which a distinct appeal was made, and upon which the people made distinct declaration.

Recognized inequalities and evasions of taxation demand effective measures for an impartial distribution of its weight.

The relations of the public to corporations require careful consideration, and the great constituency we represent is entitled to the shield of legislative protection against an invasion of its rights, or unjust discriminations.

The public works and institutions of the State will be brought to our attention, and the guide of action should be the plain rule of honest, efficient and frugal management.

Recent events, which have made a profound impression, have given new significance to the truth that the most vital safeguards of a free government are laws which secure the purity of the ballot-box and the sacred observance of the popular will.

In other lands free institutions have been slain by the blow of the midnight usurper; and in our own we see the danger that they may be stifled by fraud, or by the schemes of treacherous rulers or officers.

New York has not in the past been exempt from such peril, and there are localities where the elections are conducted with fraud, or their true results are boldly overthrown. Our laws need more stringent provisions, and we can render no greater service than by enacting measures which will make every ballot cast, and every ballot counted, the honest expression of a freeman's will.

Gentlemen, our service here at the longest will be brief, but the consequences may be enduring. One of our associates of last year, loved and honored, and with rainbow promises arching over his young manhood, has answered his last roll call.

Let us so act as to secure the only lasting reward for our service in the approval of conscience, and with a hearty wish for the health, happiness and success of each, I await your further direction.

Mr. Ellis, having been absent during the administration of the oath of office by the Secretary of State, appeared before the bar of the House, and the oath of office was administered to him by the Speaker.

The House, in like manner, then proceeded to the election of Clerk of the Assembly, with the following result:

#### FOR EDWARD M. JOHNSON.

Alvord	Cookinham	Ingersoll	Shuit
Andrews	Crafts	Kennedy	Sipp
Ash	Crapsier	Lefever	Sisson
Baker, B. F.	Cullinan	Lindsay	Skinner
Baker, C. S.	Curtis	Low	Slingerland
Beach	Davis	McCabe	Steele
Beates	Deane	Miller	Tallmadge
Bradley	Douglass	Mitchell	Terry
Brennan	Duell	Mooers	Titus
Bridges	Duguid	Morgan	Tozier
Brodsky	Evans	Nowlan	Travis
Bullock	Ferris	O'Brien	Tuthill, H. H.
Carpenter, E. A.	Fish	Peck	Tuttle, R. M.

Carpenter, L. S.	Fiske	Phillips	Van Valkenburgh
Case	Gillette	Pitcher	Varnum
Chamberlain	Gorsline	Potter	Waterbury
Chase	Gray	Potts	Wells, D. A.
Chickering	Griggs	Roberts	Wells, J. L.
Childs	Grosse	Root	Weston
Clark	Hayes	Russell	Wren
Clowes	Howland	Sanders	Youngs
Comstock	Hurd	Seely	Mr. Speaker
Congdon	Husted	Sherman	

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## FOR J. STANLEY BROWNE.

Benedict, E. D.	Fitzgerald	McDonald	Sheridan
Benedict, T. E.	Gibbs	McTernan	Terpeny
Bennett	Gwinup	Mead	Thilemann
Catlin	Hagan	Newman	Torney
Clancy	Havens	O'Connor	Treanor
Cohen	Hoffman	Parker	Tully
Cushing	Hynes	Rhodes	Walsh
Dougherty	McAvoy	Shanley	Wiley
Ellis	McCarthy		

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Edward M. Johnson having been named by a majority of all the members present, was declared duly elected Clerk of the Assembly.

The oath of office was then administered to Edward M. Johnson by the Speaker of the House.

Mr. Alvord offered for the consideration of the House a resolution in the words following:

*Resolved*, That Sidney M. Robinson be and he is hereby elected sergeant-at-arms of the Assembly for the year 1880.

Mr. Rhodes moved to amend by substituting the name of "James F. Casey" in place of "Sidney Robinson."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Rhodes, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said resolution and it was determined in the affirmative.

Mr. Comstock offered for the consideration of the House a resolution in the words following:

*Resolved*, That Henry Wheeler be and he is hereby elected door-keeper of the Assembly for 1880.

Mr. Rhodes moved to amend by substituting the name of "Philo H. Backus" for that of "Henry Wheeler."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Rhodes, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said resolution and it was determined in the affirmative.

Mr. Travis offered for the consideration of the House a resolution in the words following:

*Resolved*, That Michael Maher be and is hereby elected first assistant doorkeeper of the Assembly for the year 1880.

Mr. Rhodes moved to amend by substituting the name of "Thomas Powers" for that of "Michael Maher."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Rhodes, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. C. S. Baker offered for the consideration of the House a resolution in the words following:

*Resolved*, That John W. Wheeler be and is hereby elected second assistant doorkeeper of the Assembly of 1880.

Mr. Rhodes moved to amend by substituting the name of "Patrick Burns" for that of "John W. Wheeler."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Rhodes, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Duguid,

*Resolved*, That Worden E. Payne be and is hereby elected stenographer for the Assembly for 1880.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The oath of office was then administered to Messrs. Wheeler, Robinson, Maher, Wheeler and Payne.

Mr. Van Valkenburgh offered for the consideration of the House a resolution in the words following:

*Resolved*, That when this House adjourns it do so to meet at four o'clock, and that when convened, the members proceed to draw for seats in the usual manner; that previous to such drawing, the chamber be cleared of all persons except members and officers, and that the members retire to the rear of the chamber and remain there until their names are drawn and called, under the direction of the Clerk of the Assembly.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Shanley offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the ex-speakers, members of this Assembly, be permitted the first choice of seats.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Chickering offered for the consideration of the House a resolution in the words following:

*Resolved*, That the rules of the last Assembly be and they are hereby adopted for the government of this body until otherwise ordered, and the said rules be referred to the committee on rules, when appointed, to make such revision thereof as they shall deem proper, with power in said committee to report at any time.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Husted offered for the consideration of the House a resolution in the words following:

*Resolved*, That a committee of two be appointed by the speaker to inform the Senate that the Assembly is organized and ready to proceed to business.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker appointed Messrs. Husted and Benedict as such committee.

Mr. Titus offered for the consideration of the House a resolution in the words following:

*Resolved*, That a committee of two be appointed by the Speaker to wait upon His Excellency the Governor and inform him the Assembly is organized and ready to proceed to business.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker appointed Messrs. Titus and Shanley as such committee.

Mr. Griggs offered for the consideration of the House a resolution in the words following:

*Resolved*, That the Clerk of this House be authorized to make the usual contract with the postmaster of the city of Albany and the express companies, for the transmission of papers and documents.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Skinner,

*Resolved*, That a committee of two be appointed by the Speaker, to examine the ballots to be used in drawing seats and compare them with the list of members.

Mr. Speaker appointed Messrs. Skinner and Fitzgerald as such committee.

Mr. Alvord introduced a bill entitled "An act explanatory of the act entitled 'An act to amend title three, chapter four, of the second part of the Revised Statutes, entitled of the interest of money,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means, when appointed.

Messrs. Halbert and Hogan appeared before the bar of the House and stated that the Senate was organized and ready to proceed to business.

Mr. Hoffman presented the petition of John McLaughlin to be awarded the seat occupied by Jules O'Brien; which was referred to the committee on privileges and elections, when appointed.

Mr. Youngs introduced a bill entitled "An act to regulate and protect the planting of oysters in the public waters of the town of Oyster Bay, Queens county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs, when appointed.

Messrs. Husted and Benedict, the committee appointed on the part of the House to wait upon the Senate and inform them that the House was organized and ready to proceed to business, appeared before the bar of the House and stated that they had performed that duty.

Mr. Deane introduced a bill entitled "An act to provide additional facilities for the sale of garden produce by farmers and market gardeners, and for other market purposes in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on cities, when appointed.

Messrs. Titus and Shanley, the committee appointed on the part of the House to wait upon His Excellency the Governor, and inform him that the House was organized and ready to proceed to business, appeared before the bar of the House and stated that they had performed that duty, and that the Governor would communicate to the House in writing.



Mr. Sherman offered for the consideration of the House a resolution in the words following:

*Resolved*, That in consideration of the state of his health, A. P. Grosse, member of the 1st district of Wayne, be allowed a choice of seat.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Rhodes offered for the consideration of the House a resolution in the words following:

*Resolved*, That the Clerk be requested to invite the clergymen of the cities of Troy and Albany in charge of parishes to open the daily sessions of this Assembly with prayer.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The private secretary of his Excellency the Governor appeared before the bar of the House and presented a communication in writing, in words following:

STATE OF NEW YORK: }  
EXECUTIVE CHAMBER, }  
ALBANY, *January 6, 1880.* }

*To the Legislature:*

In obedience to the Constitution, information relative to the condition of the State is herewith communicated, with such suggestions and recommendations as are deemed expedient.

The year just closed has been one of increasing prosperity and encouragement. With the resumption of specie payments by the National Government, and the restoration of a sound financial basis, there has been marked improvement in all business affairs. Renewed confidence has set in motion the current of industrial activity, and willing hands have had ready employment. Ample crops have found eager markets, and agricultural interests have abundantly prospered. There has been unusual exemption from disease, while peace and good order have prevailed within our borders. Seldom, indeed, has there been such cause for thankfulness. May we, as a people, have a realizing sense of gratitude for the Divine favor so generously bestowed upon us.

#### FINANCES.

The finances of the State are reported to be in a satisfactory condition. The operations of the last fiscal year and the general condition of the State treasury, on the 30th of September, 1879, are shown by the following statement:

Aggregate balances in the Treasury of all the funds	
October 1, 1878 .....	\$4, 293, 883 54
Aggregate receipts during the fiscal year ending	
September 30, 1879.....	12, 852, 944 88
	<hr/>
	\$17, 146, 828 42
Deduct payments during the year.....	12, 628, 472 01
	<hr/>
Balance in the Treasury, September 30, 1879..	\$4, 518, 356 41

The amount of receipts into the Treasury on account of the General Fund revenue, during the year ending September 30, 1879.....	\$7,101,964 40
The payments.....	7,191,533 60
Apparent deficiency, September 30, 1879.....	<u>\$89,569 20</u>

## SUPPLEMENTARY STATEMENT.

Balance due from County Treasurers, September 30, 1879, on State tax of 1878.....	\$147,984 66
Add amount paid on account of 1879, appropriations included in tax levy of last year, payable in State Treasury in April and May, 1880.....	835,352 18
	<u>\$983,336 84</u>

Deduct apparent deficiency of the revenue, September 30, 1879, as shown in preceding statement...	\$89,569 20	
Carried forward.....	\$89,569 20	983,336 84
Brought forward.....	\$89,569 20	\$983,336 84
Also balances of 1878, appropriations unpaid and in force September 30, 1879.....	274,725 59	
Also balance of 1879, appropriation for New Capitol, not included in tax levy.....	217,763 56	
		<u>582,058 35</u>
Actual surplus September 30, 1879.....		<u>\$401,278 49</u>

## DEBT.

On the 30th September, 1878, the total funded debt was \$9,154,054.87, classified as follows:	
General Fund.....	\$122,694 87
Canal.....	9,020,360 00
Bounty.....	11,000 00
	<u>\$9,154,054 87</u>

On the 30th September, 1879, the total funded debt was \$9,122,054.87, classified as follows:	
General Fund.....	\$122,694 87
Canal.....	8,988,360 00
Bounty.....	11,000 00
	<u>\$9,122,054 87</u>

The General Fund State debt is all paid, and the item of \$122,694.87, included above, represents the amount required to yield, at the rate of six per cent, the sum necessary to pay the Indian annuities. The balance of \$11,000, Bounty Debt for which funds are provided, had not been presented for redemption at the close of the fiscal year. A balance of \$1,451,628.48 in the Canal Sinking Fund, leaves the amount of that debt, unprovided for, September 30, 1879, at \$7,536,731.52.

The State Debt on the 30th September, 1878, after deducting the unapplied balance of the Sinking Funds, amounted to.....	\$8,130,726 69
On the 30th September, 1879 (including \$122,- 694.87), to.....	7,659,426 39

Showing net contributions to the Sinking Fund of.	\$471,300 30
---	--------------

The actual reduction of the debt during the same period by cancellation being.....	\$32,000 00
---	-------------

### TAXATION.

For the fiscal year 1879, the tax levy was at the rate of  $2\frac{81}{1000}$  mills, which is expected to produce the sum of \$7,690,416.34, while that of the previous year, being at the rate of  $2\frac{9}{10}$  mills, produced the sum of \$7,941,297.94.

Among the questions which public sentiment will press upon your attention, is a revision of the laws for the assessment of property as a basis of taxation. The laws now in force are imperfect and unequal in their operation. By unjust discriminations, enormous values of property which should contribute a fair proportion to the public revenues are allowed to escape taxation, thus imposing onerous burdens upon a portion of our citizens. Perhaps no subject demands more careful consideration, and a wiser exercise of sound judgment. The important and complex questions involved require close, constant and long-continued examination, and it is doubted whether the necessary attention can be devoted to them during an ordinary legislative session. It is, therefore, suggested that the subject be placed in the hands of a Commission fairly representing the agricultural, commercial and other material interests of the State, to perfect a plan for the consideration of the next Legislature. It is believed that such course would give the best promise of an early and final determination of this important question.

### CANALS.

The aggregate receipts of the canals from tolls, and all miscellaneous sources, for the fiscal year ending September 30, 1879, were \$921,252.81, being less than the preceding year by \$67,398.54. The total expenses for ordinary repairs, superintendence and collection of tolls were \$751,774.82, or \$12,025.85 more than the year

previous. The surplus revenues were \$169,477.99, showing a decrease, as compared with the preceding year, of \$79,424.39.

The constitutional requirements in regard to the canal debt for the year are as follows :

For interest on canal debt.....	\$540,822 00
For sinking fund for the extinguishment of the debt, .....	450,000 00
Total .....	<hr/> \$990,822 00
Surplus revenues applied.....	169,477 99
Deficiency to be provided for by taxation.....	<hr/> \$821,344 01
Expenses for extraordinary repairs and damages paid from taxes the past year were.....	139,478 43
Total amount contributed by the taxpayers on account of the canals for the year.....	<hr/> <hr/> \$960,822 44

The laws regulating canal management were enacted prior to the change in the Constitution creating the present mode of administration, and are in many respects insufficient for public requirements. Some legislation is therefore necessary to accomplish all that was contemplated by the new system.

#### PUBLIC EDUCATION.

There is no subject in which the people have a deeper concern than that of public education. The policy of the State in relation to its school system has been steadily progressive, and each decade has witnessed an important advance in this great interest. Pre-eminent in population and intelligence, New York has no prouder record than her educational development.

Wisely enacted laws provide for the support of common, or primary schools, everywhere within reach of the humblest child, and permit local communities to establish such advanced grades of academic education, as they may desire for the more ambitious students. The best interests of the State will be promoted by placing the highest educational advantages within the reach of all who seek them.

The policy of making women eligible as school officers has been adopted in several States with beneficial results, and the question is exciting much discussion in this State. Women are equally competent with men for this duty, and it cannot be doubted that their admission to representation would largely increase the efficiency of our school management. The favorable attention of the Legislature is earnestly directed to this subject.

The Superintendent of Public Instruction has furnished from the statistics gathered by him, the following statement relative to the support of the common schools, and the attendance of pupils, during the year ending September 30, 1879 :

## COMMON SCHOOLS STATISTICS.

Total receipts, including balance on hand Sept. 30, 1878.....	\$11,293,716 40
Total expenditures.....	10,323,961 90
Amount paid for teachers' wages.....	7,600,392 00
Amount paid for school-houses, repairs, furniture, etc.....	1,205,687 03
Estimated value of school-houses and sites.....	30,767,479 00
Number of school-houses.....	11,862
Number of school districts, exclusive of cities....	11,280
Number of teachers employed for the legal term of school.....	20,295
Number of teachers employed during any portion of the year.....	30,669
Number of children attending public schools.....	1,030,041
Number of persons attending Normal schools.....	5,385
Number of children of school age in private schools..	114,460
Number of volumes in school district libraries....	755,380
Number of persons in the State between the ages of five and twenty-one years.....	1,628,727

## STATE PRISONS.

Under the operation of the recent amendment to the Constitution, the State prisons have been nearly self-supporting the past year. Gratifying as this may appear in a general view, it has been accomplished at some detriment to certain mechanical interests with which prison manufactures have come in direct competition. Many intelligent and industrious mechanics represent that great hardship proceeds from this cause. While it is desirable that the prisons should be as little burdensome as possible, care should be taken to avoid all unnecessary interference with industrial interests.

The earnings and expenditures of the several prisons of the State for the year ending September 30, 1879, are shown in the following exhibit:

## AUBURN.

Earnings.....	\$128,694 00
Expenses.....	126,505 72
Surplus .....	\$2,188 28

## SING SING.

Earnings.....	\$226,907 04
Expenses.....	187,693 23
Surplus.....	39,213 81
Total surplus.....	<u>\$41,402 09</u>

## CLINTON.

Earnings.....	\$46,762 75
Expenses.....	108,539 02
Deficiency.....	<u>\$61,776 27</u>
Total deficiency.....	<u><u>\$20,374 18</u></u>

## INSURANCE.

There are doing business in this State 178 fire insurance companies, classified as follows: New York, 89; other States, 68; Foreign, 21; having, in total assets, \$139,093,601; liabilities, including capital stock, \$98,558,223; net surplus, \$40,535,377.

While these companies present this financial showing, there is much cause for solicitude in the fact that the losses and expenditures during the last six months exceed the gross earnings by \$4,361,188; also that the previous surplus has been diminished by \$3,051,051; and of the eighty-three New York companies only ten have kept up their surplus. Such facts strongly indicate that the companies are either insuring at too low rates, or they are conducting business in an expensive and hazardous manner.

Of the 3,693 fires which occurred in the United States in 1878, involving losses amounting to \$19,000,000, more than 2,000, with an aggregate loss of \$11,000,000, were of incendiary or undiscovered origin. In view thereof, it is worthy of consideration whether additional legislation is not required to suppress the crime of incendiarism.

There are at present fifteen life insurance companies organized and doing business under the laws of this State, with aggregate assets of \$206,552,630; liabilities, \$174,793,338; surplus to policyholders, \$31,759,292; and nineteen other State companies with assets of \$197,526,513; liabilities, \$164,792,287; surplus, \$32,734,226. Seventeen marine insurance companies are also in operation (eight of which are organized under the laws of New York), with assets amounting to \$21,000,000, and a net surplus of \$2,700,000.

The laws of 1853 require Foreign fire and life insurance companies to deposit securities in the Insurance Department of the State; but as no such requirement is made of marine companies, the question arises for the Legislature to determine whether or not there is substantial reason for any exception in their case.

## BANKS.

On the 1st of October last, seventy-three banks of discount and deposit were doing business under the laws of the State, with an aggregate capital of \$19,353,200.

The number of savings banks reporting July 1, 1879, was one hundred and thirty-one, of which twelve were closing and not receiving new deposits.

The total assets were.....	\$341,368,686
Due depositors.....	304,692,339
Surplus.....	36,326,929
Number of depositors.....	827,852

The increase in the several items for the last preceding six months was:

Assets.....	\$7,131,375
Deposits.....	5,617,700
Surplus.....	1,773,667
Number of depositors.....	17,835

The improvement thus shown in the condition of the savings banks is encouraging, as contrasted with the frequent disasters of the past few years.

The reduced income from investments renders economy of management the more important. That such economy is feasible, is evident from the fact, that while each depositor's account in the savings banks of this State costs for management \$1.63, the same service in Connecticut and New Hampshire is but \$1.11, and in Massachusetts only 89 cents.

There were on July 1, eight Trust companies with an aggregate capital of.....	\$6,851,875
Assets.....	66,240,568
Liabilities, exclusive of capital.....	53,855,629
Surplus.....	5,533,063
Four Mortgage and Guaranty companies with an aggregate capital of.....	4,525,500
Surplus.....	1,024,551

#### NATIONAL GUARD.

The National Guard is represented as being in excellent condition, both in general composition and equipment. The discipline of the organization has been for several years steadily improving, and whenever its services have been required it has never failed promptly and cheerfully to perform efficient duty. Happily no necessity has arisen during the past year for active service, except in a few instances where guard duty was required at executions.

The organization consists of seven divisions and thirteen brigades, embracing the several branches of service, as follows: Twenty-three regiments, six battalions, and thirty-three separate companies of infantry; one regiment and eleven separate troops of cavalry; and of artillery, one battalion, nine separate light batteries, and two batteries armed with Gatling guns. In the aggregate number there are 20,280 officers and enlisted men.

The Military Code of the State is composed of ancient enactments that have been amended from time to time as occasion required. Thus incumbered, it has become in many respects incongruous and impracticable. It is recommended, therefore, that a commission composed of officers of suitable rank in the National

Guard be authorized to codify the military laws, and to revise the regulations accordingly.

In the firm belief that an effective military force, prepared for instant duty, is a useful conservator of the public peace, the National Guard is commended to your favorable consideration.

#### THE NEW CAPITOL.

The Commissioners in charge of the erection of the New Capitol report that the total amount expended to date is \$9,600,-681.65. The amount standing charged to this account on the books of the Comptroller is \$10,261,870.84. The difference between these two statements is assumed to be in the cost of land and other expenses incurred prior to the beginning of the construction account. Of the sum first mentioned \$132,583.45 were paid for furnishing the completed portion of the building.

The last appropriation of \$500,000 for the continuation of the work was made not available by the terms of the act, until the Commissioners had filed a written certificate with the Secretary of State, to the effect that after examining the estimates, plans and specifications, they were satisfied the building could be completed at a further cost of \$3,500,000 over and above that appropriation. This provision was complied with, and the Commissioners claim that the record of work performed during the year demonstrates the correctness of their estimates, and proves that if there shall be no considerable advance in the price of labor and materials the building can be completed for the sum stated. The Commissioners are also of opinion that the prosecution of the work to the best advantage will require appropriations of \$1,500,000 for the ensuing year, and \$1,000,000 for each of the two years thereafter, and that the entire building can be made ready for occupation within three years from this time.

As a member of the New Capitol Commission in 1868, my most earnest endeavors were made in opposition to commencing the Capitol, in the belief that it could not be constructed within the limit of \$4,000,000, as then fixed by the Legislature; but the Commission decided to proceed and the building was begun. The work has progressed under appropriations by successive Legislatures, notwithstanding the pronounced objections of the last three Executives, until it is now so far advanced that there seems to be no rational course left but to provide for its completion in the most advantageous manner possible. In this view it is suggested whether it may not be best to provide the necessary means by a loan under the twelfth section of article seven of the Constitution, by which arrangement a portion of the burden would be placed upon the future taxpayers, who will enjoy the use of this grand but costly edifice.

#### INSANE ASYLUMS AND CHARITABLE INSTITUTIONS.

From statistics furnished by the State Board of Charities, there were in the several asylums and alms-houses on the 1st of October,



1879, of insane persons, as follows: Males, 3,961; females, 5,054; total, 9,015.

There were of insane persons in all public and private institutions:

November 30, 1878..... 8,771

November 30, 1877..... 7,921

The condition of the insane in the poor-houses of the State is pitiable in the extreme, and urgently demands attention. The last Legislature provided for the conversion of the State Inebriate Asylum, at Binghamton, into an asylum for the chronic insane. The building is now being adapted to this purpose, and will soon be ready for 300 patients. The same Legislature also made provision for additional accommodations for 250 women at the Willard Asylum. The buildings are now being erected, and will probably be available early in the coming summer. There are in this asylum about 200 female patients in excess of its proper capacity, so that the new buildings will only relieve the present crowded condition of the institution.

The annual report of the State Board of Charities will contain much valuable and interesting information in detail with reference to the unfortunate classes under their supervision, and it will doubtless receive your considerate attention.

#### COUNTY JAILS AND POOR-HOUSES.

Many of the county jails and poor-houses in the State are represented to be a disgrace to our civilization. Instead of serving their legitimate purposes they are said to appear more like nurseries of immorality, squalor and crime. Philanthropic citizens who have labored zealously to ameliorate the condition of the unfortunate inmates of these institutions are urgent in their demands for reformation. The indiscriminate confinement of petty offenders and persons awaiting the action of grand juries, in the same apartments with the most hardened criminals, must almost of necessity result in increasing the degradation of those who should be shielded from malign influences while in the custody of the authorities. The practice of confining felons in the penitentiaries instead of the State prisons is also deemed unwise and injurious. While referring to this subject it is suggested that an extension of the jurisdiction of the State Board of Charities over the local prisons and poor-houses might lead to beneficial results in an important direction.

#### EMIGRATION.

The whole number of passengers from foreign ports landed in New York from January 1 to December 1, 1879, was 167,665, of whom 39,560 were citizens, or persons who had previously been in the United States; and 128,105 were aliens. The number of steerage passengers landed at Castle Garden was 127,271, being an increase of 50,726 over the preceding year, and largely in excess of

any year since 1873. It is expected that emigration next season will show a corresponding increase.

The number of emigrants remaining in the State Emigrant Refuge and hospitals is 484, of which number 81 are insane. At the Castle Garden Labor Bureau employment was procured during the same period for 15,235 emigrants, and a large number were forwarded to inland destinations wholly or in part at the expense of the Commissioners of Emigration.

Of the appropriation of \$170,000 made by the Legislature for the maintenance of the State Emigrant institutions for the year beginning May 1, 1879, there have been expended \$103,295.14, leaving \$66,704.86 for the remaining five months of the year.

The decision of the Supreme Court of the United States, rendered March 20, 1876, declaring unconstitutional and void the laws of the State requiring indemnity or guarantee by commutation for the support of indigent emigrants, has imposed a serious burden upon the State. In obedience to the direction of the Legislature, the Commissioners of Emigration appealed to Congress for relief, but no result has yet been secured. A bill to regulate emigration, approved by all the Representatives from this State, has recently been introduced in Congress, and it is hoped that it will receive favorable consideration. It is recommended, therefore, that the Legislature take some formal action in behalf of the measure.

#### QUARANTINE.

During the past season 1,142 vessels from ports liable to visitations of yellow fever were examined by the Quarantine officers at the port of New York, of which 284 were from ports known to be infected. Ninety-five vessels had 256 cases of yellow fever on their passage, or in port under quarantine. Fifty cases of fever were treated in the Quarantine hospitals, of which twenty-nine were yellow fever. Of the latter, eleven proved fatal.

It is gratifying in this connection to state that the National Board of Health, after careful investigation of the methods in vogue at the different ports, unanimously recommended the principles and modes practiced at the port of New York, as affording the greatest protection against disease and the least interference with the freedom of commerce.

#### RAILROAD TRANSPORTATION.

For several years there has been an increasing interest in the subject of railroad transportation. The relations of railroads to the public are of vast importance and demand careful examination by the Legislature. In its inter-State aspect the subject can only be treated by Congress. But the internal interests of the people of this State, comprising one-tenth of the population of the Union, must depend upon local legislation. Responding to popular sentiment, the last Assembly appointed a special committee to investigate the management of the railroads, with instructions to report to

the next Legislature. The members of the committee have devoted themselves assiduously to this duty, and will, in due time, present their conclusions for your consideration.

The question of railroad transportation affects directly or indirectly every industrial and commercial interest; and the public have the right to demand that freight tariffs shall be uniform for like service, without discrimination as between citizens or communities, and that they shall also have all reasonable publicity. This should be secured by just and practical regulations.

#### ELECTION LAWS.

The foundations of free government rest upon the purity of the ballot. Every elector is entitled to have his vote honestly counted and to be protected from all fraudulent practices in the conduct of elections. This is the vital element of National life, and in many respects it is the most difficult to shield from abuse. All enactments, whether National or State, calculated to protect the freedom and integrity of the elective franchise, are earnestly to be commended.

In consequence of enormous election frauds perpetrated in the city of New York in former years, very effective laws have been enacted for that locality. But in other cities defective statutes are still in operation, and in some of them elections are conducted in a grossly fraudulent manner. Remedy has heretofore been sought in more perfect legislation, but obstacles have arisen to defeat the desired object. A well-guarded registry law for all incorporated villages is also believed to be necessary for the correction of existing evils. In view of the importance which these subjects bear to the highest interests of the people, it is hoped they will receive your early consideration.

#### EXCISE LAWS.

Much dissatisfaction prevails in regard to the Excise laws, and it is essential that some effort be made to render them more effective. The laws are constantly violated or evaded, and inadequate attention is given to their enforcement. Indeed, the chief difficulty seems to be to determine the scope or meaning of the existing statutes on this subject. Under recent and somewhat conflicting decisions, Excise commissioners are left with large discretionary powers. The will of the commissioners is substituted for the mandates of law, hence conflicting interpretations obtain within the jurisdiction of the different boards of Excise. What is needed is a carefully matured act that can be plainly understood and faithfully executed. Although beset with difficulties, it is your duty to seek an intelligent solution of the matter.

#### HARBOR MASTERS.

The Supreme Court of the United States having declared that portion of the law of the State unconstitutional which authorizes

the collection of fees by Harbor Masters, these officers are left to perform important duties without legal remuneration. If the services rendered by them are to be continued, it will be necessary for the Legislature to provide for their compensation in some different form.

#### PILOTAGE.

The laws relating to pilotage in the harbor of New York cause much complaint from those engaged in commerce. It is represented that the legal charge for piloting a large steamship in and out of that port is larger than the wages of the captain for the round European trip. If this be true, a remedy is surely needed. The growing competition of other sea-ports for our vast foreign trade renders it imperative that the commerce of New York shall be relieved of all unnecessary burdens. The future prosperity of the State is largely dependent upon the continuance of our commercial supremacy, and no private interest should be permitted to interfere with that great object.

#### INDIANS.

Attention has been called to the condition of the Indians still remaining within the limits of the State, more especially those residing on the Onondaga reservation. According to the representations of well-informed citizens, there seem to be ample reasons for the adoption of such measures as will conduce to the moral and material welfare of this peculiar people. Much must necessarily depend in this direction upon the exercise of wise and beneficent influences; but as the State has long sustained the relation of guardian to the remnants of Indian tribes within its domain, the interests involved in their situation are commended to your thoughtful consideration.

#### LOCAL INDEBTEDNESS.

Serious embarrassment exists in different sections of the State on account of the large amount of town indebtedness incurred for the most part in aid of railroad enterprises. In some instances towns are being depopulated in consequence of the high rate of taxation rendered necessary to pay the interest on their bonds. The value of property is also depreciating; and looking forward to the maturity of the debt, the prospect becomes still more discouraging. The only remedy seems to be in refunding the indebtedness, so as to reduce the rate of interest. This, however, requires an improved credit; and it is very desirable that some measure be devised, if possible, to enable the towns to accomplish this object.

#### MUNICIPAL AFFAIRS.

Municipal affairs are prolific subjects of legislation and will doubtless occupy much of your attention. In dealing with them it should be remembered that the restoration of specie payments affords a favorable opportunity for the readjustment of public ex-

penditures, many of which, established during the period of inflation and fixed at rates now extravagant, have become needless burdens upon the taxpayers. Especially is this true in the city of New York. Overburdened with debt largely created by the criminality of faithless officials, the expenses of the city government should be reduced to a frugal and economical basis.

All measures calculated to simplify the methods and promote the stability of local as well as State administration, or secure efficient and economical discharge of official duty are earnestly commended to your favorable consideration and support.

### CONCLUSION.

We enter upon our duties under circumstances which mark an interesting event in the history of the State. For the first time since the organization of our State government in 1777, the executive officers and the members of both branches of the Legislature were chosen simultaneously at the recent election. A trust of unusual magnitude, therefore, is committed to us, for the faithful performance of which we shall justly be held to strict accountability.

Commissioned as the representatives of a grand constituency, unequalled in enterprise, wealth, and power, may we be impressed with the gravity of our responsibilities, and solemnly resolve to be guided by worthy motives in every official action.

ALONZO B. CORNELL.

By unanimous consent, Mr. Husted offered for the consideration of the House a resolution in the words following :

*Resolved* (if the Senate concur), That there be printed of the Governor's message 15,000 copies, of which 5,000 shall be in German, the cost not to exceed 13 cents per page per 100 copies, 1,000 to be bound in cloth for the use of the Governor.

Mr. Speaker put the question whether the House would agree to the resolution, and it was determined in the affirmative.

{ AYES 77 }  
{ NOES 00 }

Those who voted in the affirmative, were

Baker, C. S.	Curtis	Lindsay	Shanley
Beach	Cushing	Low	Sherman
Bennett	Davis	McAvoy	Shuit
Bradley	Dougherty	McCabe	Steele
Brennan	Douglass	McCarthy	Tallmadge
Bridges	Duguid	Mead	Terry
Brodsky	Evans	Miller	Titus
Bullock	Ferris	Mitchell	Tormey
Carpenter, E. A.	Fish	Nowlan	Tozier
Carpenter, I. S.	Fiske	O'Connor	Treanor
Catlin	Fitzgerald	Parker	Tuthill, H. H.
Chamberlain	Gillette	Peck	Tuttle, R. M.
Chase	Gorsline	Phillips	Van Valkenburgh

Ohilds	Gray	Pitcher	Varnum
Clark	Hayes	Potts	Waterbury
Clowes	Howland	Rhodes	Wells, J. L.
Comstock	Husted	Russell	Weston
Cookinham	Ingersoll	Sanders	Wren
Crapser	Lefever	Seely	Mr. Speaker
Cullinan			

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*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Curtis offered for the consideration of the House a resolution in the words following:

*Resolved*, That the regular sessions of this House commence at 11 o'clock A. M.

Mr. Bradley moved to amend by adding at end of resolution the words "and end at two o'clock."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the negative.

Mr. Alvord moved that when this House adjourns to-day it be to meet to-morrow morning at eleven A. M.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Husted moved that this House do now take a recess until four P. M.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

#### FOUR O'CLOCK P. M.

The House again met.

Mr. Skinner from the committee appointed to examine the ballots to be used in drawing seats, reported that they had examined the same and found them correct.

The members of the Assembly then retired to the rear of the Chamber, and each member, as his name was called, selected his seat as follows:

Alvord .....	46	Ellis .....	51	Pitcher .....	110
Andrews .....	100	Evans .....	2	Potter .....	99
Ash .....	49	Ferris .....	125	Potts .....	9
B. F. Baker ....	104	Fish .....	108	Rhodes .....	105
C. S. Baker ....	33	Fiske .....	116	Roberts .....	48
Beach .....	36	Fitzgerald .....	74	Root .....	15
Beates .....	89	Gibbs .....	123	Russell .....	94
E. D. Benedict..	53	Gillette .....	66	Sanders .....	29
T. E. Benedict..	85	Gorsline .....	60	Seely .....	34
Bennett .....	101	Gray .....	5	Shanly .....	122
Bradley .....	76	Griggs .....	52	Sheridan .....	56

Brennan.....	92	Grosse .....	24	Sherman .....	64
Bridges .....	21	Gwinup .....	84	Shuit .....	111
Brodsky .....	47	Hagan .....	120	Sipp .....	79
Bullock .....	31	Havens .....	86	Sisson .....	8
E. A. Carpenter..	19	Hayes .....	32	Skinner .....	110
I. S. Carpenter..	13	Hoffman .....	26	Slingerland.....	109
Case .....	87	Howland .....	38	Steele .....	1
Catlin .....	55	Husted .....	45	Strait .....	117
Chamberlain ...	63	Hynes .....	82	Tallmadge .....	9
Chase .....	128	Ingersoll .....	41	Terpeny .....	67
Chickering .....	93	Kennedy .....	97	Terry .....	7
Childs .....	37	Lefever .....	96	Thilemann .....	106
Clancy .....	119	Lindsay .....	81	Titus .....	39
Clark .....	40	Low .....	78	Tormey .....	58
Clowes .....	30	McAvoy .....	73	Tozier .....	28
Cohen .....	71	McCabe .....	20	Travis .....	22
Comstock .....	95	McCarthy .....	103	Treanor .....	107
Congdon .....	57	McDonald .....	6	Tully .....	121
Cookinham .....	77	McTernan .....	88	H. H. Tuthill...	61
Costello .....	25	Mead .....	90	R. M. Tuttle....	14
Crafts .....	17	Miller .....	27	VanValkenburgh	4
Crapser .....	91	Mitchell .....	3	Varnum .....	18
Cullinan .....	98	Mooers .....	124	Walsh .....	70
Curtis .....	42	Morgan .....	59	Warner .....	68
Cushing .....	69	Newman .....	12	Waterbury .....	75
Davis .....	43	Nowlan .....	62	D. A. Wells.....	127
Deane .....	126	O'Brien .....	50	J. L. Wells.....	112
Dougherty .....	102	O'Connor .....	72	Weston ....	113
Douglass .....	35	Parker .....	54	Wiley .....	83
Duell .....	114	Peck .....	23	Wren .....	80
Duguid .....	11	Phillips .....	65	Youngs .....	115

Mr. Speaker announced the appointment of Wm. N. Haskell as Speaker's clerk.

Mr. John Warner appeared before the bar of the House and took the oath of office, he being absent when the Secretary of State administered the oath of office to the members elect.

Mr. Speaker presented the report of the State Board of Audit, which was laid upon the table and ordered printed.

(See Doc. No. 10.)

On motion of Mr. Hayes, and at 5 o'clock and 30 minutes the House adjourned.

## WEDNESDAY MORNING, JANUARY 7, 1880.

The House met pursuant to adjournment.

Prayer by Rev. P. H. Krohne, of Troy.

The journal of yesterday was read and approved.

Mr. Speaker presented the twenty-sixth annual report of the Department of Public Instruction ; which was laid on the table and ordered printed.

(See Doc. No. 11.)

Also, presented annual report of the New Capitol Commissioners and General Superintendent ; which was laid on the table and ordered printed.

(See Doc. No. 8.)

Also, presented the report of the special committee appointed by the Assembly, 1879, to confer with the Capitol Commissioners in relation to making such alterations in the Assembly Chamber as would improve the acoustic qualities.

(See Doc. No. 9.)

Mr. Alvord moved that said report be printed and referred to the committee on ways and means.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker presented the annual report of the Comptroller ; which was laid upon the table and ordered printed.

(See Doc. No. 3.)

Mr. Clark introduced a bill entitled "An act to amend chapter 34 of the Laws of 1858, entitled 'An act to make school district number nine in the town of Pomfret a union free school district,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education, when appointed.

Mr. Curtis introduced a bill entitled "An act to authorize the sale by towns and villages, in the county of Chenango, of capital stock in railroad companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads, when appointed.

Mr. Sheridan introduced a bill entitled "An act to regulate the sale of intoxicating liquors, wines, ale and beer in the cities of New York and Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs, when appointed.

Also, the bill entitled "An act to regulate the employment of convicts and prisoners in State prisons, jails and penitentiaries," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State prisons, when appointed.

Also, the bill entitled "An act to amend an act entitled 'An act to amend chapter 467 of the Laws of 1862, entitled An act to prevent the adulteration of milk, and prevent the traffic in impure and un-



wholesome milk,' passed May 2, 1864," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs, when appointed.

Mr. Wren introduced a bill entitled "An act to restrict convict labor in State prisons, penitentiaries, work-houses, reformatories, and all penal institutions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State prisons, when appointed.

Mr. O. S. Baker introduced a bill entitled "An act to repeal certain acts and parts of acts exempting persons and property from taxation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means, when appointed.

Mr. Wells introduced a bill entitled "An act to amend an act entitled 'An act to amend chapter 147 of the Laws of 1876, entitled An act granting to the United States the right to acquire the right of way necessary for the improvement of the Harlem river and Spuyten-Duyvil creek, from the North river to the East river, through the Harlem kills, and ceding jurisdiction over the same,' passed May 20, 1879," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on federal relations, when appointed.

Mr. Cohen introduced a bill entitled "An act to exempt charitable institutions from the payment of water tax rent," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on cities, when appointed.

Mr. I. I. Hayes introduced a bill entitled "An act relative to the incorporation of religious societies, which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Hayes and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 100 }  
{ NOES 00 }

Those who voted in the affirmative, were

Baker, B. F.	Cullinan	Lefever	Shuit
Baker, C. S.	Curtis	Lindsay	Sipp
Beach	Cushing	Low	Sisson
Beates	Davis	McCabe	Terry
Benedict, E. D.	Deane	McDonald	Slingerland
Bradley	Dougherty	Miller	Steele
Bridges	Douglass	Mitchell	Terpeny
Brodsky	Ellis	Mooers	Terry
Bullock	Evans	Morgan	Thilemann
Carpenter, E. A.	Ferris	Newman	Tormey
Carpenter, I. S.	Fish	Nowlan	Tozier
Case	Fitzgerald	O'Brien	Travis
Catlin	Gillette	O'Connor	Treanor
Chamberlain	Gorsline	Parker	Tully
Chase	Griggs	Peck	Tuthill, H. H.
Childs	Grosse	Pitcher	Tuttle, R. M.

Clancy	Gwinup	Potts	Van Valkenburgh
Clark	Hagan	Roberts	Varnum
Clowes	Hayes	Root	Warner
Cohen	Howland	Russell	Waterbury
Comstock	Hurd	Sanders	Wells, D. A.
Congdon	Husted	Seely	Wells, J. L.
Cookinham	Hynes	Shanley	Wren
Crafts	Ingersoll	Sheridan	Youngs
Crapeer	Kennedy	Sherman	Mr. Speaker.

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Varnum introduced a bill entitled "An act to suppress intemperance, by regulating the sale, keeping and disposal of strong, spirituous and intoxicating liquors, wines, ale and beer in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs, when appointed.

Mr. Van Valkenburgh introduced a bill entitled "An act declaring certain property exempt from levy and sale by virtue of an execution issued on a judgment recovered before a justice of the peace or any other officer and in all courts not courts of record," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on judiciary, when appointed.

Mr. Cookinham introduced a bill entitled "An act to enforce collection of the taxes, levied in the county of Oneida," accompanied by a petition on same subject, which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs, when appointed.

Also, the bill entitled "An act providing for the compensation of the county judge and the surrogate of the county of Oneida," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on judiciary, when appointed.

Also, the bill entitled "An act for the relief of school district number ten of New Hartford, Oneida county," accompanied by a petition on the same subject, which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education, when appointed.

Mr. Fiske introduced a bill entitled "An act to enable the trustees of all incorporated villages to contract for a supply of water to such villages for fire and other public purposes and to raise and expend money therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on villages, when appointed.

Mr. Husted introduced a bill entitled "An act to amend chapter 534 of the Laws of 1879, entitled "An act for the preservation of moose and deer, birds, fish and other game," accompanied by a petition on the same subject, which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws, when appointed.

Mr. Potter introduced a bill entitled "An act to authorize the sale of lands in the town and village of Saratoga Springs, for unpaid State and county municipal taxes, including water rates and special assessments," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on villages, when appointed.

Mr. Lefever introduced a bill entitled "An act authorizing the board of supervisors of the county of Ulster to issue bonds during the years 1880, 1881, 1882, respectively, to pay portions of the county bonds falling due in said years," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on \_\_\_\_\_, when appointed.

Mr. Travis introduced a bill entitled "An act regulating the rate of compensation to be paid to railroad companies for the transporting of milk," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture, when appointed.

Also, the bill entitled "An act in relation to the keeping open of the offices of the register, county clerk and county treasurer of the county of Westchester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs, when appointed.

Also, the bill entitled "An act to amend chapter 404 of the Laws of 1878, entitled 'An act to provide for the support, treatment and care of pauper, destitute and delinquent children,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies, when appointed.

Mr. Crafts introduced a bill entitled "An act to amend section 8 of chapter 534 of the Laws of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws, when appointed.

Mr. Clowes introduced a bill entitled "An act to confirm the incorporation of 'the Union Evangelical Church of Corona,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Youngs, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 97 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Lefever	Shanley
Andrews	Curtis	Lindsay	Sherman
Ash	Cushing	McAvoy	Shuit
Baker, B. F.	Deane	McCabe	Sisson
Baker, C. S.	Douglass	McCarthy	Skinner
Beach	Duguid	McDonald	Slingerland
Benedict, E. D.	Ellis	Miller	Steele
Bennett	Evans	Mitchell	Tallmadge
Bridges	Ferris	Moers	Terpeny
Brodsky	Fish	Morgan	Terry
Bullock	Fiske	Newman	Titus
Carpenter, E. A.	Fitzgerald	Nowlan	Tormey
Carpenter, I. S.	Gibbs	O'Brien	Travis

Case	Gillette	O'Connor	Tully
Cadlin	Gorsline	Parker	Tuthill, H. H.
Chamberlain	Gray	Peck	Tuttle, R. M.
Chase	Griggs	Phillips	Van Valkenburgh
Childs	Grosse	Pitcher	Warner
Clowes	Hagan	Potter	Waterbury
Cohen	Hayes	Potts	Wells, D. A.
Comstock	Hurd	Rhodes	Wells, J. L.
Congdon	Husted	Roberts	Wren
Cookinham	Ingersoll	Russell	Youngs
Crafts	Kennedy	Sanders	Mr. Speaker

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence the resolution in words following :

*Resolved* (if the Assembly concur), That when the Legislature adjourn to-day, it be to meet again on Tuesday, January 13, at 8 P. M.

On motion of Mr. Husted, and by unanimous consent,

Mr. Speaker put the question whether the House would agree to the adoption of said resolution, and it was determined in the affirmative.

Mr. Slingerland presented petition of Mr. Liddle claiming and contesting the seat of Joseph Hynes of the fourth district of Albany county.

*Ordered*, That said petition be referred to the committee on privileges and elections, when appointed.

Mr. Travis presented petition of citizens of Cortlandt, Westchester county, to amend law in regard to fishing in the Hudson river, which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws, when appointed.

By unanimous consent Mr. Alvord offered for the consideration of the House a resolution in the words following :

*Resolved*, That Rule Number 14 of the Assembly be so amended that all committees now composed of nine members shall consist of eleven, and all now of seven shall be made of nine in number.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent Mr. C. S. Baker introduced a bill entitled "An act to authorize the appointment of counselors at law as notaries public," which was read the first time; and by unanimous consent was also read the second time, and referred to the committee on the judiciary, when appointed.

Mr. Hurd offered for the consideration of the House a resolution in the words following :

*Whereas*, There is a proposition, pending before a committee of Congress, to erect a swing bridge across Detroit river; and,

*Whereas*, Such a structure must of necessity seriously impede the navigation of the lakes, and materially interfere with the commerce of the same; and,

*Whereas*, The water route from Chicago to New York confessedly fixes railroad rates of the country; and,

*Whereas*, It is of vital importance that the water route be preserved free and unobstructed; therefore,

*Resolved* (if the Senate concur), That it is the sense of the Legislature of the State of New York, that the erection of such proposed

structure would impede the navigation of the lakes, be prejudicial to the commerce of the country, and is therefore inexpedient and unwise.

Said resolution being concurrent,

*Ordered*, That the same do lay on the table.

On motion of Mr. Terry and at 11 o'clock and 55 minutes, the House adjourned.

## TUESDAY EVENING, JANUARY 13, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Magee.

The Journal of Wednesday January 7, 1880, was read and approved.

Mr. Terry in the Chair.

Mr. Speaker presented the report of the Superintendent of State Prisons; which was laid on the table and ordered printed.

(*See Doc. No. 21.*)

Also, the annual report of the Commissioners of Emigration of the State of New York; which was laid on the table and ordered printed.

(*See Doc. No. 14.*)

Also, the ninth annual report of the State Homœopathic Asylum for the Insane at Middletown; which was laid on the table and ordered printed.

(*See Doc. No. 20.*)

Also, the annual report of the Managers of the Society for the Reformation of Juvenile Delinquents; which was laid on the table and ordered printed.

(*See Doc. No. 19.*)

Also, the fifth annual report of Central New York Institute for Deaf Mutes; which was laid on the table and ordered printed.

(*See Doc. No. 17.*)

Also, the fifth annual report of the Le Conteuilx St. Mary Institute for Deaf Mutes; which was laid on the table and ordered printed.

(*See Doc. No. 00.*)

Also, the forty-fourth annual report of the New York Institute for the Blind; which was laid on the table and ordered printed.

(*See Doc. No. 16.*)

Also, the annual report of the Trustees of the New York State Institution for the Blind; which was laid on the table and ordered printed.

(*See Doc. No. 18.*)

Also, the annual report of pardons, commutations and reprieves granted by the Governor for the year 1879; which was laid on the table and ordered printed.

(*See Doc. No. 13.*)

Also, the annual financial report of the Auditor of the Canal Department; which was laid on the table and ordered printed.]

(*See Doc. No. 4.*)

Mr. Roberts introduced a bill entitled "An act for the better security of mechanics, laborers and others who perform labor or furnish materials for buildings and other improvements on land in the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary, when appointed.

Also, the bill entitled "An act to amend chapter 716 of the Laws of 1868, entitled 'An act to provide a water supply in the city of Buffalo,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities, when appointed.

Also, the bill entitled "An act in relation to the public buildings and grounds belonging to Erie county and the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities, when appointed.

Also, the bill entitled "An act to amend chapter 519 of the Laws of 1870, entitled 'An act to revise the charter of the city of Buffalo,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities, when appointed.

Also, the bill entitled "An act to repeal chapter 829 of the Laws of 1873, entitled 'An act to empower the board of water commissioners of the city of Buffalo, together with the common council of said city, to establish or designate free public hydrants in said city, and providing for the appointment of water commissioners in said city,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities, when appointed.

Mr. Hurd introduced a bill entitled "An act to amend chapter 498 of the Laws of 1847, entitled 'An act to authorize the election of county superintendents of the poor and county treasurers by the people,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary, when appointed.

Mr. Ellis introduced a bill entitled "An act to release all that part of the waters of Lake Ontario together with its bays and inlets in the county of Jefferson, saving and excepting Henderson harbor and bay, from the operation of the provisions of sections 23 and 26 of chapter 635 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws, when appointed.

Mr. Wren introduced a bill entitled "An act to provide for the better administration of civil and criminal justice in the city of Brooklyn and to provide the mode of electing justices of the peace therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary, when appointed.

Also, the bill entitled "An act to regulate the sale of wines, ale and beer and intoxicating liquor in the cities of New York and Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs, when appointed.

Mr. Russell introduced a bill entitled "An act to repeal chapter 402 of the Laws of 1878, entitled, 'An act to authorize the county clerk of Kings county to arrange, assort and repair all judgments, decrees, orders and other papers filed or deposited in Kings county clerk's office, and to record and certify mutilated or injured writings affecting the title to real estate in said county and providing compensation for his services in that respect,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary, when appointed.

Also, the bill entitled "An act to amend chapter 783 of the Laws of 1866, entitled 'An act to protect primary meetings, caucuses and conventions of political parties,' passed April 24, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary, when appointed.

Also, the bill entitled "An act to amend 'An act entitled An act to create a board of commissioners of emigration and to confer certain powers thereon,' passed April 26, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities, when appointed.

Also, the bill entitled "An act to amend chapter 863 of the Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn,' passed June 28, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities, when appointed.

Also, the bill entitled "An act to amend 'An act entitled An act to authorize the formation of railroad corporations, and to regulate the same,' passed April 2, 1850," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads, when appointed.

Mr. Tallmadge introduced a bill entitled "An act to legalize and confirm certain sales of real estate made by referees within the county of Kings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary, when appointed.

Mr. Sheridan introduced a bill entitled "An act to secure to mechanics and others the payment of sums due them for work done upon, and materials furnished in and about the erection of buildings intended for public purposes or for work done or materials furnished for any other public work," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary, when appointed.

Also, the bill entitled "An act to amend chapter 863 of the Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn,' passed June 28, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities, when appointed.

Mr. C. S. Baker introduced a bill entitled "An act to further amend chapter 417 of the Laws of 1877, entitled 'An act to repeal certain acts and parts of acts,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary, when appointed.

Mr. O. S. Baker introduced a bill entitled "An act to amend chapter 259 of the Laws of 1848, entitled 'An act to provide for the incorporation of bridge companies,' passed April 11, 1848," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges, when appointed.

Mr. Grosse introduced a bill entitled "An act to regulate the rate of fare to be charged and collected by persons or corporations operating elevated railroads in the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads, when appointed.

Also, the bill entitled "An act to prescribe qualifications for the offices of notary public and commissioner of deeds," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary, when appointed.

Mr. Wells introduced a bill entitled "An act in relation to the opening of streets, avenues and public parks or places in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities, when appointed.

Mr. Dougherty introduced a bill entitled "An act to authorize and require the Secretary of State to collect and report labor statistics," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities, when appointed.

Mr. Hayes introduced a bill entitled "An act to amend an act entitled 'An act to establish regulations for the port of New York,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities, when appointed.

Mr. Cohen introduced a bill entitled "An act to amend chapter 440 of the Laws of 1879, entitled 'An act to authorize the benevolent society in the city of New York known as the Mainonides Benevolent Society, to buy, hold and dispose of land for cemetery purposes,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies, when appointed.

Mr. O'Connor introduced a bill entitled "An act to establish a bureau of labor statistics in the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws, when appointed.

Mr. Mitchell introduced a bill entitled "An act to provide for the employment of convicts and paupers under the control of the commissioners of public charities and correction of the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities, when appointed.

Also, the bill entitled "An act to amend chapter 460 of the Laws of 1847, entitled 'An act for the better regulation of the county and State prisons of the State, and consolidating and amending the existing laws in relation thereto,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State prisons, when appointed.



Also, the bill entitled "An act authorizing the removal of male convicts confined in the county penitentiaries of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State prisons, when appointed.

Mr. Varnum introduced a bill entitled "An act to amend an act entitled 'An act in relation to the acknowledgment by married women of deeds and other written instruments,' passed the 5th day of May, 1879," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary, when appointed.

Mr. Deane introduced a bill entitled "An act relative to janitors in district courts in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary, when appointed.

Mr. Van Valkenburgh introduced a bill entitled "An act to release and convey to Emily Wundus the interest of the people of the State of New York, in certain real estate in the city of Lockport," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens, when appointed.

Mr. Gray introduced a bill entitled "An act to confirm and legalize the acts of the commissioner of highways of the town of Boonville, in building a bridge across Black river near Crandall's mill, in 1879, and to confirm and legalize the acts of the town auditors of said town in auditing the bills for the expense thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges, when appointed.

Mr. Alvord introduced a bill entitled "An act to extend the charter of the Central City Railway, organized under and in pursuance of chapter 483 of the Laws of 1859," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads, when appointed.

Also, the bill entitled "An act to amend chapter 277 of the Laws of 1868, entitled 'An act to amend an act entitled An act to provide for the incorporation of villages,' passed December 7, 1847, and the several acts amending the same, so far as relates to the village of Baldwinsville, Onondaga county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages, when appointed.

Mr. Rhodes introduced a bill entitled "An act to amend an act entitled 'An act to incorporate the city of Troy,' passed April 12, 1876," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities, when appointed.

Mr. Fiske introduced a bill entitled "An act to amend an act entitled 'An act to confer on local boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,' passed June 5, 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary, when appointed.

Mr. Husted introduced a bill entitled "An act to forbid discriminations in school offices on account of sex," which was read the first

time, and by unanimous consent was also read the second time, and referred to the committee on public education, when appointed.

Mr. Potter introduced a bill entitled "An act to provide for the appointment of electors of President and Vice-President of the United States," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary, when appointed.

Mr. Travis introduced a bill entitled "An act to amend chapter 50 of the Laws of 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining and mechanical or chemical purposes,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures, when appointed.

Mr. Tallmadge introduced a bill entitled "An act relating to vacancies in office," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary, when appointed.

Mr. Terpenney introduced a bill entitled "An act to reduce the rate of fare on the elevated railroads in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads, when appointed.

Mr. Clowes introduced a bill entitled "An act to amend section 7, of chapter 591 of the Laws of 1870, entitled 'An act in relation to the custody and disposition of the money arising from the sale of the plain or common lands of the town of Hempstead, Queens county, New York,' passed May 3, 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary, when appointed.

On motion of Mr. Wells, and by unanimous consent, Assembly bill No. 22 (introductory number 22), in relation to the improvement of Harlem river and Spuyten Duyvil creek, was ordered printed.

Mr. Travis presented a petition of citizens of Cortlandt and Ossining in the county of Westchester, to amend Laws of 1879 in relation to fishing in the Hudson river, which was read and referred to the committee on game laws.

Mr. Husted moved that the daily sessions of the House shall commence at 11 o'clock, unless otherwise ordered.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Alvord, and at 8 o'clock and 27 minutes, the House adjourned.

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### WEDNESDAY MORNING, JANUARY 14, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Magee.

The journal of yesterday was read and approved.

Mr. Speaker presented the annual report of the Adjutant-General; which was laid on the table and ordered printed.

(See Doc. No. 22.)

Also, the thirteenth annual report of the Institution for the Improved Instruction of Deaf Mutes 1,511 Broadway, New York; which was laid on the table and ordered printed.

(See Doc. No. 23.)

Also, the report of the Trustees of Oswego City Library; which was laid on the table and ordered printed.

(See Doc. No. 24.)

Also, the report of Bank Department of the State of New York; which was laid on the table and ordered printed.

(See Doc. No. 5.)

Mr. Morgan introduced a bill entitled "An act relating to the banks and prism of the Genesee Valley canal and for the sale thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals, when appointed.

Mr. Tuthill introduced a bill entitled "An act to amend chapter 351 of the Laws of 1874, entitled 'An act to amend chapter 312 of the Laws of 1859, entitled 'An act to equalize the State tax among the several counties in the State, and to amend chapter 327 of the Laws of 1873 amendatory thereof,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means, when appointed.

Mr. Curtis introduced a bill entitled "An act to amend chapter 175 of the Laws of 1870, entitled 'An act regulating the sale of intoxicating liquors,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs, when appointed.

Mr. Childs introduced a bill entitled "An act to create a board of mercantile commissioners and to regulate their powers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures, when appointed.

Mr. Beates introduced a bill entitled "An act for the division of the town of Tompkins in the county of Delaware, and for the erection of a new town from the westerly portion thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on civil divisions, when appointed.

Mr. Newman introduced a bill entitled "An act to authorize the sale of certain portions of the lands of Prospect Park in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities, when appointed.

Mr. Lindsay introduced a bill entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary, when appointed.

Mr. Wren introduced a bill entitled "An act to amend chapter 855 of the Laws of 1872, entitled 'An act to reduce the rates of ferriage on certain ferry routes between the cities of New York and Brooklyn, and to regulate the running of said ferries,' passed May 25, 1872," which was read the first time, and by unanimous consent was also

read the second time, and referred to the committee on commerce and navigation, when appointed.

Mr. Seeley introduced a bill entitled "An act to amend chapter 150 of the Laws of 1837, entitled 'An act authorizing a loan of certain moneys belonging to the United States, deposited with the State of New York for safe-keeping,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary, when appointed.

Mr. Bennett introduced a bill entitled "An act to amend chapter 33 of the Laws of 1873, entitled 'An act to regulate the pay of firemen in the city of New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities, when appointed.

Mr. Duell introduced a bill entitled "An act to establish the compensation of certain officers in the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities, when appointed.

Mr. McAvoy introduced a bill entitled "An act requiring horse railroad companies in New York city to employ a conductor and a driver for each and every car," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads, when appointed.

Mr. Hayes introduced a bill entitled "An act to incorporate an exchange salesroom in the city of New York, and to designate the place for judicial sales of real estate in the said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary, when appointed.

Mr. Mitchell introduced a bill entitled "An act to authorize the incorporation, under chapter 319 of the Laws of 1848, of societies to promote and effectualize saving, and for mutual assurance against absolute dependence upon wages," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies, when appointed.

Also, the bill entitled "An act to amend section 236 of the Code of Civil Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary, when appointed.

Also, the bill entitled "An act to provide for cleaning the streets in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities, when appointed.

Mr. Varnum introduced a bill entitled "An act to provide for cleaning the streets of the city of New York, the collection of the ashes, garbage and street sweepings of the city, and the disposition of the materials," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities, when appointed.

Mr. Deane introduced a bill entitled "An act to abolish the office of marshal of the city of New York and to provide for the appointment of officers in lieu of marshals in said city, and making certain regulations concerning the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities, when appointed.

Mr. Shuit introduced a bill entitled "An act to amend chapter 317 of the Laws of 1878, entitled 'An act in relation to the bonded indebtedness of villages, cities, towns and counties,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs, when appointed.

Also, the bill entitled "An act to amend chapter 431 of the Laws of 1875, entitled 'An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges, when appointed.

Mr. Comstock introduced a bill entitled "An act to amend article 3, title 1 of chapter 8, part 2 of the Revised Statutes, entitled 'of divorces dissolving the marriage contract,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary, when appointed.

Mr. Potts introduced a bill entitled "An act in relation to the rights and liabilities of married women," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary, when appointed.

Also, the bill entitled "An act to repeal chapter 479 of the Laws of 1879, entitled 'An act authorizing the reduction of pay of certain town officers in the county of Sullivan,' passed February 26, 1879," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means, when appointed.

Mr. Bradley introduced a bill entitled "An act to regulate the manufacture and sale of hats," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures, when appointed.

Mr. Husted introduced a bill entitled "An act to amend chapter 590 of the Laws of 1865, entitled 'An act to incorporate the Porous Plaster Company of the city of New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary, when appointed.

Mr. Sheridan introduced a bill entitled "An act for ascertaining by proper proofs the citizens who shall be entitled to the right of suffrage in the several towns of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary, when appointed.

Also, the bill entitled "An act to repress and punish disorderly conduct in public conveyances," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary, when appointed.

Also, the bill entitled "An act to confer on the board of supervisors of Kings county power to purchase certain supplies without advertisement," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities, when appointed.

On motion of Mr. Alvord and by unanimous consent, Assembly bill (introductory number 1), "An act explanatory of the act entitled 'An act to amend title 3, chapter 4 of part 2 of the Revised Statutes, entitled 'Of the interest of money,' passed June 20, 1879,'" was ordered printed.

Mr. Wiley offered for the consideration of the House a resolution in the words following:

*Whereas*, The price for nearly all of life's necessities has very materially advanced beyond the ratio of wages paid the mechanics and laborers heretofore and again to be employed upon the new capitol; and,

*Whereas*, At least one-half of those so employed have families depending upon them for support; and,

*Whereas*, It has become almost an utter impossibility for these said mechanics and laborers to supply the ordinary comforts of life to any reasonable degree for themselves and families with the wages heretofore paid; Therefore, be it

*Resolved*, That this body (if the Senate concur) do hereby recommend that the Hon. Commissioners having this work in charge shall advance on and after the first of February next, the wages of all employees under them at such ratio as they may regard for the best interests of, and relief of said employees.

Said resolution being concurrent,

*Ordered*, That the same be laid upon the table.

Mr. Speaker announced the following standing committees of the House for the year 1880 :

#### *On Ways and Means.*

Mr. Husted, Rockland;  
Alvord, Onondaga;  
Hayes, New York;  
Mooers, Clinton;  
Griggs, Albany;  
Chase, Otsego;

Mr. Kennedy, Livingston;  
Titus, Tompkins;  
Carpenter, Dutchess;  
Shanley, Kings;  
Benedict, Kings.

#### *On Judiciary.*

Mr. Terry, Washington;  
Brennan, Franklin;  
Travis, Westchester;  
Roberts, Erie;  
Steele, Oswego;  
Russell, Kings;

Mr. Congdon, Cattaraugus;  
Potts, Sullivan;  
Mitchell, New York;  
McCarthy, New York;  
Rhodes, Rensselaer.

#### *On General Laws.*

Mr. Tozier, Wyoming;  
Bridges, Otsego;  
Bradley, Westchester;  
Curtis, Chenango;  
Wren, Kings;  
Comstock, Rensselaer;

Mr. Cookinham, Oneida;  
Potter, Saratoga;  
Chamberlain, St. Lawrence;  
Strait, Rensselaer;  
Benedict, Kings.

#### *On Canals.*

Mr. Hurd, Erie;  
Hayes, New York;  
Chickering, Lewis;  
Van Valkenburgh, Niagara;  
Morgan, Allegany;  
Gray, Oneida;

Mr. Cullinan, Oswego;  
Howland, Onondaga;  
Root, Monroe;  
Benedict, Ulster;  
Mead, Schenectady.

*On Affairs of Cities.*

- |                            |                           |
|----------------------------|---------------------------|
| Mr. Varnum, New York ;     | Mr. Slingerland, Albany ; |
| Duguid, Onondaga ;         | Ash, Erie ;               |
| C. S. Baker, Monroe ;      | Brodsky, New York ;       |
| Deane, New York ;          | Hoffman, Chemung ;        |
| E. A. Carpenter, Suffolk ; | Treanor, New York.        |
| Comstock, Rensselaer ;     |                           |

*On Railroads.*

- |                          |                              |
|--------------------------|------------------------------|
| Mr. Skinner, Jefferson ; | Mr. Kennedy, Livingston ;    |
| Terry, Washington ;      | Gillette, Columbia ;         |
| Tozier, Wyoming ;        | Wells, Fulton and Hamilton ; |
| Low, Niagara ;           | Havens, Schoharie ;          |
| Chickering, Lewis ;      | Catlin, Westchester.         |
| Andrews, Broome ;        |                              |

*On Commerce and Navigation.*

- |                        |                      |
|------------------------|----------------------|
| Mr. Duguid, Onondaga ; | Mr. Lindsay, Kings ; |
| Wells, New York ;      | McCabe, Putnam ;     |
| Youngs, Queens ;       | O'Brien, Erie ;      |
| Griggs, Albany ;       | Sheridan, Kings ;    |
| Deane, New York ;      | Gibbs, New York.     |
| Pitcher, Dutchess ;    |                      |

*On Insurance.*

- |                            |                       |
|----------------------------|-----------------------|
| Mr. C. S. Baker, Monroe ;  | Mr. Russell, Kings ;  |
| Varnum, New York ;         | Davis, Steuben ;      |
| Sanders, Genesee ;         | Gillette, Columbia ;  |
| Steele, Oswego ;           | Catlin, Westchester ; |
| Peck, St. Lawrence ;       | Cushing, New York.    |
| E. A. Carpenter, Suffolk ; |                       |

*On Banks.*

- |                                |                       |
|--------------------------------|-----------------------|
| Mr. Van Valkenburgh, Niagara ; | Mr. Mooers, Clinton ; |
| Ingersoll, Chautauqua ;        | Mitchell, New York ;  |
| Bradley, Westchester ;         | Cullinan, Oswego ;    |
| Curtis, Chenango ;             | Rhodes, Rensselaer ;  |
| Fiske, Richmond ;              | Ellis, Jefferson.     |
| Tuthill, Cayuga ;              |                       |

*On Internal Affairs.*

- |                      |                       |
|----------------------|-----------------------|
| Mr. Evans, Seneca ;  | Mr. Sipp, Erie ;      |
| Skinner, Jefferson ; | Carpenter, Dutchess ; |
| Tallmadge, Kings ;   | Sisson, Washington ;  |
| Weston, Essex ;      | Parker, Greene ;      |
| Peck, St. Lawrence ; | Hynes, Albany.        |
| Tuthill, Cayuga ;    |                       |

*On Affairs of Villages.*

- |                        |                       |
|------------------------|-----------------------|
| Mr. Sanders, Genesee ; | Mr. Tuttle, Steuben ; |
| Potter, Saratoga ;     | Beach, Schuyler ;     |
| Childs, Cortland ;     | Clark, Chautauqua ;   |
| Clowes, Queens ;       | Benedict, Ulster ;    |
| Waterbury, Orange ;    | Ellis, Jefferson.     |
| Slingerland, Albany ;  |                       |

*On Roads and Bridges.*

Mr. Weston, Essex ;  
 Shuit, Orange ;  
 Wells, New York ;  
 Roberts, Erie ;  
 Case, Ontario ;  
 Bullock, Cattaraugus ;

Mr. Phillips, Orleans ;  
 Beates, Delaware ;  
 Beach, Schuyler ;  
 Havens, Schoharie ;  
 Parker, Greene. }

*On Public Printing.*

Mr. Bridges, Otsego ;  
 Travis, Westchester ;  
 Skinner, Jefferson ;  
 Duell, New York ;  
 Slingerland, Albany ;  
 B. F. Baker, Saratoga ;

Mr. Morgan, Allegany ;  
 Tuttle, Steuben ;  
 Fiske, Richmond ;  
 Fitzgerald, New York ;  
 McTernan, Kings.

*On Public Health.*

Mr. Bullock, Cattaraugus ;  
 Crafts, Wayne ;  
 Fiske, Richmond ;  
 Travis, Westchester ;  
 Douglass, Oneida ;  
 Morgan, Allegany ;

Mr. Fish, Yates ;  
 Youngs, Queens ;  
 Sipp, Erie ;  
 Havens, Schoharie ;  
 Sheridan, Kings.

*On Charitable and Religious Societies.*

Mr. Curtis, Chenango ;  
 Ash, Erie ;  
 Pitcher, Dutchess ;  
 Fish, Yates ;  
 Childs, Cortland ;  
 Seeley, Monroe ;

Mr. Douglass, Oneida ;  
 Ferris, Cayuga ;  
 Sheridan, Kings ;  
 McDonald, New York ;  
 Tully, Kings.

*On Public Education.*

Mr. Sherman, Wayne ;  
 Youngs, Queens ;  
 Seeley, Monroe ;  
 Oullinan, Oswego ;  
 Potter, Saratoga ;  
 Brodsky, New York ;

Mr. Childs, Cortland ;  
 Crapser, St. Lawrence ;  
 Comstock, Rensselaer ;  
 Grosse, New York ;  
 Hoffman, Chemung.

*On Militia.*

Mr. Brennan, Franklin ;  
 B. F. Baker, Saratoga ;  
 Varnum, New York ;  
 Tutthill, Cayuga ;  
 Gorsline, Herkimer ;  
 Andrews, Broome ;

Mr. Miller, Madison ;  
 Bridges, Otsego ;  
 Hoffman, Chemung ;  
 Thilemann, New York ;  
 Hagan, New York.

*On Claims.*

Mr. Kennedy, Livingston ;  
 Waterbury, Orange ;  
 Sisson, Washington ;  
 Sipp, Erie ;  
 Potts, Sullivan ;  
 Lindsay, Kings ;

Mr. Crafts, Wayne ;  
 Gwinup, Warren ;  
 Fitzgerald, New York ;  
 O'Connor, New York ;  
 McTernan, Kings.



*On Federal Relations.*

- |                        |                             |
|------------------------|-----------------------------|
| Mr. Case, Ontario ;    | Mr. B. F. Baker, Saratoga ; |
| Low, Niagara ;         | Gray, Oneida ;              |
| Chase, Otsego ;        | McAvoy, New York ;          |
| Pitcher, Dutchess ;    | Walsh, New York ;           |
| Miller, Madison ;      | Hynes, Albany.              |
| Congdon, Cattaraugus ; |                             |

*On Game Laws.*

- |                            |                                  |
|----------------------------|----------------------------------|
| Mr. Chickering, Lewis ;    | Mr. Wells, Fulton and Hamilton ; |
| E. A. Carpenter, Suffolk ; | Sisson, Washington ;             |
| Peck, St. Lawrence.        | Ellis, Jefferson ;               |
| Douglass, Oneida ;         | McAvoy, New York.                |
| Olowes, Queens ;           |                                  |

*On State Prisons.*

- |                     |                          |
|---------------------|--------------------------|
| Mr. Shuit, Orange ; | Mr. Warner, Montgomery ; |
| Tallmadge, Kings ;  | O'Brien, Erie ;          |
| Ferris, Cayuga ;    | Cushing, New York ;      |
| Nowlan, Tioga ;     | Newman, Kings.           |
| Howland, Onondaga ; |                          |

*On State Charitable Institutions.*

- |                            |                      |
|----------------------------|----------------------|
| Mr. Bradley, Westchester ; | Mr. McCabe, Putnam ; |
| Deane, New York ;          | Gray, Oneida ;       |
| Andrews, Broome ;          | Wiley, Albany ;      |
| Tallmadge, Kings ;         | Mead, Schenectady.   |
| Waterbury, Orange ;        |                      |

*On Privileges and Elections.*

- |                           |                       |
|---------------------------|-----------------------|
| Mr. Travis, Westchester ; | Mr. Lefever, Ulster ; |
| Steele, Oswego ;          | Hagan, New York ;     |
| Hurd, Erie ;              | Benedict, Ulster ;    |
| Duell, New York ;         | Havens, Schoharie.    |
| Warner, Montgomery ;      |                       |

*On Civil Divisions.*

- |                       |                       |
|-----------------------|-----------------------|
| Mr. Roberts, Erie ;   | Mr. Lefever, Ulster ; |
| C. S. Baker, Monroe ; | Gwinup, Warren ;      |
| Beates, Delaware ;    | Hynes, Albany ;       |
| Miller, Madison ;     | O'Connor, New York.   |
| Crafts, Wayne ;       |                       |

*On Trade and Manufactures.*

- |                          |                             |
|--------------------------|-----------------------------|
| Mr. Warner, Montgomery ; | Mr. Crapser, St. Lawrence ; |
| Weston, Essex ;          | Grosse, New York ;          |
| McCabe, Putnam ;         | Terpeny, New York ;         |
| Davis, Steuben ;         | Clancy, Kings.              |
| Clark, Chautauqua ;      |                             |

*On Manufacture of Salt.*

- |                         |                     |
|-------------------------|---------------------|
| Mr. Howland, Onondaga ; | Mr. O'Brien, Erie ; |
| Sherman, Wayne ;        | Bennett, New York ; |
| Tozier, Wyoming ;       | Cohen, New York ;   |
| Crafts, Wayne ;         | Treanor, New York.  |
| Duguid, Onondaga ;      |                     |

*On Public Lands.*

Mr. Low, Niagara ;	Mr. Russell, Kings ;
Sanders, Genesee ;	Root, Monroe ;
Clark, Chautauqua ;	Costello, New York ;
Chamberlain, St. Lawrence ;	Clancy, Kings.
Hurd, Erie ;	

*On Agriculture.*

Mr. Chase, Otsego ;	Mr. Miller, Madison ;
Sherman, Wayne ;	Lefever, Ulster ;
Root, Monroe ;	Hoffman, Chemung ;
Ferris, Cayuga ;	Mead, Schenectady.
Gorsaline, Herkimer ;	

*On Indian Affairs.*

Mr. Ingersoll, Chautauqua ;	Mr. Bullock, Cattaraugus ;
Warner, Montgomery ;	Beach, Schuyler ;
Crapser, St. Lawrence ;	Gibbs, New York ;
Duguid, Onondaga ;	Terpeny, New York.
Congdon, Cattaraugus ;	

*On Petitions of Aliens.*

Mr. Peck, St. Lawrence ;	Mr. Lindsay, Kings ;
Youngs, Queens ;	Shanley, Kings ;
Wren, Kings ;	Dougherty, New York ;
Case, Ontario ;	Thilemann, New York.
Seeley, Monroe ;	

*On Two-thirds and Three-fifths Bills.*

Mr. Duell, New York ;	Mr. Youngs, Queens ;
Alvord, Onondaga ;	Gwinup, Warren ;
Husted, Rockland ;	Wiley, Albany ;
Terry, Washington ;	McCarthy, New York.
Skinner, Jefferson ;	

*On Engrossed Bills.*

Mr. Steele, Oswego ;	Mr. Fiske, Richmond ;
Tuttle, Steuben ;	Grosse, New York ;
B. F. Baker, Saratoga ;	Hagan, New York ;
Phillips, Orleans ;	Tully, Kings.
Cookinham, Oneida ;	

*On Grievances.*

Mr. Deane, New York ;	Mr. Brodsky, New York ;
Shuit, Orange ;	Tormey, Kings ;
Lefever, Ulster ;	Bennett, New York ;
Gillette, Columbia ;	McDonald, New York.
Griggs, Albany ;	

*On Expenditures of the House.*

Mr. Hayes, New York ;	Mr. I. S. Carpenter, Dutchess ;
Terry, Washington ;	Strait, Rensselaer ;
Ash, Erie ;	Tormey, Kings ;
Mitchell, New York ;	Walsh, New York.
Nowlan, Tioga ;	

*On Expenditures of the Executive Department.*

Mr. Wells, New York ;	Mr. McCabe, Putnam ;
Brennan, Franklin ;	Potts, Sullivan ;
Pitcher, Dutchess ;	Newman, Kings ;
Beates, Delaware ;	Costello, New York.
Lindsay, Kings ;	

*On Rules.*

Mr. Alvord, Onondaga ;	Mr. Husted, Rockland ;
Hayes, New York ;	Shanley, Kings.
Skinner, Jefferson ;	

*On Joint Library.*

Mr. Mooers, Clinton ;	Mr. Bennett, New York ;
Davis, Steuben ;	Cohen, New York.
Clowes, Queens ;	

*On Sub-Committee of the Whole.*

Mr. Titus, Tompkins ;	Mr. Wells, Fulton and Hamilton ;
Dougherty, New York ;	Cookinham, Oneida ;
Duell, New York ;	Gorsline, Herkimer ;
Clancy, Kings ;	Nowlan, Tioga ;
E. A. Carpenter, Suffolk ;	Evans, Seneca ;
Griggs, Albany ;	Fish, Yates ;
Strait, Rensselaer ;	Ingersoll, Chautauqua ;
Chamberlain, St. Lawrence ;	Van Valkenburgh, Niagara.

Mr. Speaker announced the following appointments :

Postmaster — Theodore C. Teale.

Assistant Postmaster — John G. Blampied.

Post-office Messenger — James Dowling.

Superintendent of Documents — Orson M. Ford.

Assistant Doorkeepers — John Christie, George Coughtry, James McW. Getty, James Joy, David Goddell, Charles B. Schissler.

Janitor — Ezra E. Goodwin.

Assistant Janitor — Hanson Harley.

Clerks of Committees — On Affairs of Cities, Thomas J. Stearns ; on Ways and Means, George P. Nelson ; on Judiciary, John G. Hosmer ; on Railroads, Oscar P. Hadcock ; Clerks, C. Livingston Vandewater, Byron J. Moss, George A. Maye.

General Messengers — John D. Christie, James W. Lay, John T. Reese.

Speaker's Messenger — George L. Zelig.

The Clerk announced the following appointments :

Assistant Clerk — Jacob C. Cuyler.

Journal Clerk — William H. Barker.

Deputy Clerks — Reuben L. Fox, James A. Cheney, Mortimer Wade, George M. Bullock, John K. Fairman, Carroll Whitaker, Lorenzo R. Locke, Eleazer Baldwin.

Librarian — Hiram H. Wakeley.

Assistant Librarian — Samuel Merclean.

Bank Messenger — James H. Manville.

Messengers — Anderson D. Lawrence, William R. Pitts.

Also the following to serve as pages and messengers to committees — Daniel Morrison, Ralph Murdock, James T. Low, Christine Schilling, Phillip Herlick, William Hogan, Charles L. Fosdick, George H. McNally, Charles Bauer, Harry E. Blampied, Harry Bradley, Stephen Navin, Jr., John J. Murphy, Morris Winterfield, Henry H. Halligan, Frank Hull, Severyn B. Carle, Winfield S. Stone, Edward Rouse, Harry Marshall.

Mr. Speaker administered the oath of office to John G. Blampied, Orson M. Ford and George Coughtry.

On motion of Mr. Husted, and at 11 o'clock and 45 minutes the House adjourned.

### THURSDAY MORNING, JANUARY 15, 1880.

The House met pursuant to adjournment.

No clergyman being present.

The journal of yesterday was read and approved.

Mr. Husted in the chair.

The Senate sent for concurrence the following bill:

"An act relative to the justices of the peace in the county of Columbia designated and elected to hold courts of sessions in said county, at the general election held on the fourth day of November, 1879," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Husted and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }  
{ NOES 00 }

Those who voted in the affirmative, were

Baker, C. S.	Deane	Low	Sheridan
Beach	Dougherty	McAvoy	Sherman
Beates	Duell	McCabe	Shuit
Benedict, E. D.	Duguid	Miller	Sisson
Benedict, T. E.	Ellis	Mitchell	Skinner
Bennett	Evans	Mooers	Slingerland
Brennan	Ferris	Morgan	Steele
Bridges	Fish	Newman	Terpeny
Brodsky	Gibbs	Nowlan	Terry
Bullock	Gillette	O'Brien	Thilemann
Carpenter, E. A.	Gorsaline	O'Connor	Titus
Carpenter, I. S.	Gray	Parker	Tormey
Case	Griggs	Peck	Tozier
Catlin	Gwinup	Phillips	Travis
Chamberlain	Havens	Pitcher	Treanor
Childs	Hayes	Potter	Tuthill, H. H.
Clowes	Howland	Potts	Tuttle, R. M.
Congdon	Hurd	Rhodes	Van Valkenburgh
Cookinham	Husted	Roberts	Varnum
Crafts	Hynes	Root	Wells, D. A.
Cullinan	Kennedy	Russell	Wells, J. L.
Cushing	Lindsay	Seeley	Wren
Davis			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Alvord presented the annual report of the New York Asylum for Idiots; which was laid on the table and ordered printed.

(*See Doc. No. 20.*)

Mr. Speaker presented the annual report of the New York Institution of the Deaf and Dumb; which was laid on the table and ordered printed.

(*See Doc. No. 19.*)

This being the day assigned under the rule for the consideration of general orders, the House resolved itself into committee of the whole, and after some time spent therein Mr. Shanley from said committee reported:

Mr. Speaker, the committee of the whole have under consideration the Annual Message of the Governor, and having spent some time in discussing the provisions thereof, do recommend that the committee do now arise and report progress thereon and ask leave to set again.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Mr. Slingerland introduced a bill entitled "An act to promote honest elections," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Beates introduced a bill entitled "An act to amend chapter 176 of the Laws of 1876, entitled 'An act supplementary to chapter 60 of the Laws of 1813, entitled An act to provide for the incorporation of religious societies, and the acts supplementary thereto,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Russell introduced a bill entitled "An act in relation to the government of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Lindsay introduced a bill entitled "An act to repeal part of chapter 346 of the Laws of 1878, entitled 'An act relative to the collection of taxes and assessments in the city of Brooklyn,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Wren introduced a bill entitled "An act for the relief of the surviving members of the first regiment of New York volunteers, Col. Ward Burnet, who served in the war with Mexico," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Miller introduced a bill entitled "An act to authorize the inhabitants of the town of Lenox, Madison county, State of New York, to elect a justice of the peace and constable for district No. 6 in said town," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Root introduced a bill entitled "An act for the assessment and taxation of all the property in this State and for levying taxes thereon according to its true value in money," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Wells introduced a bill entitled "An act to provide for additional, cheap, quick and frequent railway transit in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

On motion of Mr. Wells, and by unanimous consent, said bill was ordered printed.

Mr. Dougherty introduced a bill entitled "An act in relation to runners or solicitors of passengers or patronage for steamers, ships, vessels, hotels, railroads or transportation companies in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Bennett introduced a bill entitled "An act in relation to railroad companies in the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Mitchell introduced a bill entitled "An act concerning the supply of pure and wholesome water for the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill entitled "An act to repeal the act entitled 'An act to authorize the Metropolitan Transit Company to construct and operate certain railroads in the city of New York and to construct and use for railroad purposes two bridges across Harlem river,' passed May 22, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Also, the bill entitled "An act to provide for the preparation of a criminal code and a code of criminal procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Cookinham introduced a bill entitled "An act to establish a police and fire department commission and official board in the city of Rome, and to amend and change in certain respects an act passed February 23, 1870, entitled 'An act to incorporate the city of Rome,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Peck introduced a bill entitled "An act, entitled 'An act to allow any tax payer or collection of tax payers of the town of Hammond, St. Lawrence county, to bring and maintain action against its officers, agents or commissioners to restrain or prevent an unlawful use or expenditures of the moneys or property of said town without costs,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Sherman introduced a bill "An act to amend section 1, title 4, chapter 17, part 1 of the Revised Statutes, relating to the licensing of hawkers and peddlers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Travis introduced a bill entitled "An act to amend chapter 520 of the Laws of 1865, entitled 'An act to amend title 1, chapter 16, of the first part of the Revised Statutes, in regard to roads and bridges and the appointment of overseers of highways," which was read the

first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Tozier introduced a bill entitled "An act to amend chapter 437 of the Laws of 1874 in relation to the publication of notices and citations in surrogates' courts," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Hagan introduced a bill entitled "An act to authorize the construction of an island upon and the conveyance of a portion of Robin's Reef in the harbor of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on federal relations.

Mr. Oookinham presented a petition for the construction of a lift, draw or swing bridge over the Erie canal on Genesee street in the city of Utica, which was read and referred to the committee on

Mr. McCabe offered for the consideration of the House a resolution in the words following:

*Whereas*, The city of New York is the most important seaboard centre not only of this State, but of the United States, and the proper protection of the commercial and industrial interest of the city is by necessity connected with the prosperity of the country at large; and

*Whereas*, The harbor defenses and fortifications of the city of New York against attacks from marine forces are manifestly inadequate to afford security to the city, should such attacks be made upon it, and the erection and maintenance of proper and suitable defenses to the city is a matter of national importance and properly belongs to the Federal Congress; therefore,

*Resolved* (if the Senate concur), That our Senators and Representatives in Congress be requested to use their influence to secure an early appropriation sufficient for the speedy erection and proper maintenance of the fortifications and defenses necessary for the protection of the city of New York against hostile attacks.

*Resolved*, That a copy of these resolutions be forwarded to our Senators and Representatives in Congress.

Said resolution being concurrent,

*Ordered*, That the same do lay on the table.

Mr. Duell offered for the consideration of the House a resolution in the words following:

*Resolved*, That the clerk of the city and county of New York be instructed to report to this House, within ten days, the names of all referees and receivers appointed in any action or proceeding in the Supreme Court in and for the county of New York during the year 1879, together with the names of the judges making the appointments, and so far as he may be able, the compensation received by such referees and receivers.

Said resolution giving rise to debate,

*Ordered*, That the same be laid upon the table.

Mr. Grosse offered for the consideration of the House a resolution in the words following:

*Whereas*, Hon. Charles F. Sanford, one of the judges of the Superior Court of the city of New York has not performed the duties of his office for several years and will in all probability never be able to resume his said duties; and

*Whereas*, said failure and disability of said judge to perform his

official duties has hindered and delayed the administration of justice in the city of New York to an extent highly injurious to the public weal, and has greatly impaired the usefulness of said Superior Court; and

*Whereas*, the improbability that said judge will ever recover from his present disability, makes it an imperative necessity to remove him from office; therefore, be it

*Resolved*, that the judiciary committee be directed to inquire and report to the House whether any and what steps are to be taken to remove Hon. Charles F. Sanford, one of the judges of the Superior Court of the city of New York from office.

Said resolution giving rise to debate,

*Ordered*, That the same be laid upon the table.

Mr. Skinner offered for the consideration of the House a resolution in the words following:

*Resolved*, That the comptroller of the State be and he is hereby requested to transmit to the Assembly as soon as possible, a copy of the current contract for legislative printing.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Ingersoll offered for the consideration of the House a resolution in the words following:

*Whereas*, It has been charged in the public prints that the lease of the Plattsburgh and Dannemora Railroad to the Chateaugay Railroad Company by the State officials authorized by law to make and approve a lease of said road was an unwise and improper act on the part of said officials, and made in utter disregard of the interests of the people of the State, and that by the execution of said lease the people were defrauded of their rights,

*Resolved*, That a special committee of five be appointed to investigate said matters and said charges connected with the execution of said lease, and report thereon to this House within thirty days from date, and that said committee be and they are hereby authorized to send for persons and papers and in their discretion to visit and inspect said road.

Mr. Mooers moved to amend said resolution in words following: After words "rights" insert the words "and

*Whereas*, It was also charged that Wm. P. Mooers, then and now member of Assembly from Clinton County, was interested in the Chateaugay railroad company, in lands along the line of said railroad, and also in the lease of said Plattsburgh and Dannemora railroad, and instrumental in procuring its execution, therefore be it," etc.

Said resolution giving rise to debate,

*Ordered*, That the same be laid upon the table.

On motion of Mr. C. S. Baker, and at 11 o'clock and 55 minutes, the House adjourned.



## FRIDAY MORNING, JANUARY 16, 1880

The House met pursuant to adjournment.

Prayer by Rev. Dr. Krohne, of Troy.

The journal of yesterday was read and approved.

The Senate sent for concurrence the bill entitled

"An act appropriating moneys for the State prison at Auburn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Speaker presented the second annual report of the St. Joseph's Institute for the Improved Instruction of Deaf Mutes; which was laid on the table and ordered printed.

(See Doc. No. 29.)

Also, the annual report of the managers of the State Reformatory at Elmira; which was laid on the table and ordered printed.

(See Doc. No. 28.)

Also, the third annual report of the Western New York Institution for Deaf Mutes; which was laid on the table and ordered printed.

(See Doc. No. 30.)

The Senate returned Assembly bill entitled "An act to confirm the incorporation of the 'Union Evangelical Church of Corona,'" with a message that they have passed the same without amendment.

*Ordered,* That the Clerk deliver said bill to the Governor.

Mr. Speaker administered the oath of office to Samuel Maclean and John Christie, officers of the Assembly.

Mr. Bullock introduced a bill entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs, accompanied by a memorial on the same subject.

Mr. Clark introduced a bill entitled "An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws, accompanied by a petition on the same subject.

Mr. Beates introduced a bill entitled "An act relating to the term of office of the supervisors of the county of Delaware," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Seeley introduced a bill entitled "An act requiring life insurance companies to furnish additional information in their annual statement to the insurance department," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Root introduced a bill entitled "An act to aid the introduction of steam navigation upon the canals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. C. S. Baker introduced a bill entitled "An act in relation to the partition of lands held by husband and wife as joint tenants, tenants in common, or as tenants by entireties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Wells introduced a bill entitled "An act to amend chapter 361 of the Laws of 1863, entitled 'An act to authorize the construction of a railway and tracks in the towns of West Farms and Morrisania,' passed May 2, 1863," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads, accompanied by a petition on the same subject.

Mr. Walsh introduced a bill entitled "An act to provide for the further security and safety of passengers while traveling on the ferry-boats plying to and from the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Cookinham introduced a bill entitled "An act to create a board of equalization in the county of Oneida," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, the bill entitled "An act in relation to uncollected taxes in the several towns and wards in this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Also, the bill entitled "An act to amend chapter 446 of the Laws of 1879, entitled 'An act to amend chapter 361 of the Laws of 1867, entitled 'An act authorizing supplementary proceedings for the collection of taxes,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Potts introduced a bill entitled "An act for the preservation of wild deer in the county of Sullivan," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

Mr. Terry introduced a bill entitled "An act supplemental to the Code of Civil Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Bradley introduced a bill entitled "An act to provide for appeals from the audit of bills by the boards of town auditors in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Hayes introduced a bill entitled "An act concerning the powers of the commissioners of the land office," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Wren introduced a bill entitled "An act to ascertain the citizens of the various towns of Kings county who shall be entitled to the rights of suffrage therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

On motion of Mr. Alvord, and by unanimous consent, the committee on ways and means was discharged from the further consideration of Assembly bill entitled "An act explanatory of the acts entitled 'An act to amend title 3, chapter 4 of part 2 of the Revised Statutes, entitled 'Of the interest of money,' passed June 20, 1879," and said bill was referred to the committee on banks.

Mr. Howland presented a petition of citizens of Onondaga county in reference to a ditch upon the berme side of the Erie canal in the town of Elbridge in the said county; which was read and referred to the committee on canals.

Mr. Baker moved that when the House adjourn to-day it be to meet on Monday evening at 8 o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Ingersoll called from the table the resolution previously offered by him in the words following:

*Whereas*, It has been charged in the public prints, that the lease of the Plattsburgh & Dannemora Railroad, to the Chateaugay Railroad Company by the State officials authorized by law to make and approve a lease of said road, was an unwise and improper act on the part of said officials, and made in utter disregard of the interests of the people of the State, and that by the execution of said lease the people were defrauded of their rights; and

*Whereas*, It was also charged that Wm. P. Mooers, then and now member of Assembly from Clinton county, was interested in the Chateaugay Railroad Company, in lands along the line of said railroad, and also in the lease of said Plattsburgh & Dannemora railroad and instrumental in procuring its execution; therefore, be it

*Resolved*, That a special committee of five be appointed to investigate said matters and said charges connected with the execution of said lease, and report thereon to this House within thirty days from date, and that said committee be and they are hereby authorized to send for persons and papers and in their discretion to visit and inspect said road.

Mr. Hayes offered the following as a substitute for said resolution, in the words following:

*Resolved* (if the Senate concur), That the Governor is hereby authorized, by and with the advice and consent of the Senate, to appoint a commission of three persons, whose duty it shall be to investigate the management and affairs of Dannemora prison and especially the construction, equipment, management and lease of the railroad built by the State from Plattsburgh to Dannemora in the county of Clinton. Said commission shall have power to subpoena and compel the attendance of witnesses, to require the production before them of any books, papers or documents in the custody or possession of any person, firm or the State, touching the subject of such investigation, and to examine such witnesses and such public records of the State as they shall require for the purposes of such investigation. Any member of said commission shall have power to administer oaths to witnesses summoned before them. They shall have authority to employ counsel, a clerk and stenographer, and shall report the testimony they shall take, together with such recommendations in respect to the same as they shall deem warranted by the facts, to the Governor and to the Legislature at its

present session. They shall also furnish a copy of such testimony to the Attorney-General.

Mr. Skinner moved to amend by striking out the words "a special committee of five be appointed to," in said resolution, and insert in lieu thereof, the "committee on State prisons."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker put the question on the substitute offered by Mr. Hayes, and it was determined in the negative.

Mr. Speaker then put the question on the resolution offered by Mr. Ingersoll, and it was determined in the affirmative.

The private secretary of the Governor appeared before the bar of the House, and presented a communication in words following :

STATE OF NEW YORK,  
EXECUTIVE CHAMBER,  
ALBANY, January 15, 1880. }

*To the Legislature*

You are herewith presented with the report of the agent of the State, appointed by my predecessor pursuant to the provisions of chapter 134 of the Laws of 1878, in relation to infectious and contagious diseases of animals.

It will be observed that the sum heretofore appropriated for this purpose has been exhausted and liabilities have been incurred amounting to about \$16,000. In view of this fact, it has seemed proper for me to direct the suspension of all work and expense until the Legislature shall have taken action, notwithstanding the urgent representation of the Secretary of the State Agricultural Society of the necessity for continuing the work. Your early attention to the subject is respectfully directed.

ALONZO B. CORNELL.

Mr. Husted moved that the communication, with accompanying documents, be ordered printed and referred to the committee on ways and means.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

*Ordered*, That said communication be laid on the table and printed.  
(See Doc. No. 31.)

Mr. Brennan offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That 1,000 extra copies of the Adjutant-General's report be printed and bound (in cloth) for the use of the Adjutant-General's department.

*Ordered*, That said resolution be referred to the committee on public printing.

Mr. McCabe called from the table the resolution previously offered by him in the words following:

*Whereas*, The city of New York is the most important seaboard center not only of this State but of the United States, and the proper protection of the commercial and industrial interest of the city is by necessity connected with the prosperity of the country at large; and,

*Whereas*, The harbor defenses and fortifications of the city of New York against attacks from marine forces are manifestly inadequate to afford security to the city should such attacks be made upon it, and

the erection and maintenance of proper and suitable defenses to the city is a matter of national importance and properly belongs to the Federal Congress; therefore,

*Resolved* (if the Senate concur), That our Senators and Representatives in Congress be requested to use their influence to secure an early appropriation sufficient for the speedy erection and proper maintenance of the fortifications and defenses necessary for the protection of the city of New York against hostile attacks.

*Resolved*, That a copy of these resolutions be forwarded to our Senators and Representatives in Congress.

Mr. Speaker put the question on the adoption of said resolution, which was determined the negative.

By unanimous consent, Mr. Dougherty introduced a bill entitled "An act to amend chapter 50 of the Laws of 1824, entitled 'An act relating to hackney coaches and carriages in the city of New York,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on Affairs of cities.

By unanimous consent, Mr. Husted introduced a bill entitled "An act ceding jurisdiction to the United States over a sub-marine site for a light-house to be built at the Great Beds in Raritan bay, which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on federal relations.

On motion of Mr. Husted, and at 12 o'clock and 5 minutes the House adjourned.

## MONDAY EVENING, JANUARY 19, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Darling.

The journal of Friday, January 16, was read and approved.

Mr. Speaker announced the following of the official reporters of the House:

M. H. Rooker, Associated Press; W. H. McElroy, Albany Evening Journal; D. S. Lamont, Albany Argus; S. C. Hutchins, Albany Express; C. G. Shanks, Albany Evening Times; R. M. Griffin, Albany Post; J. D. Johnson, Albany Press and Knickerbocker; E. G. Dannel, New York Times; E. L. Murlin, New York Tribune; T. J. Cummins, New York Herald; Hiram Calkins, New York World; E. Jay Edwards, New York Sun; J. W. Browning, New York Star; Harry J. Hastings, New York Commercial Advertiser; J. W. McDonald, New York News; David J. Twohey, New York Mail; H. D. Cunningham, New York Evening Post; T. J. Dyson, Brooklyn Union and Argus; J. Cogan, Brooklyn Daily Times; Lyman B. Smith, Buffalo Courier; H. McMillen, Troy Press; W. J. C. Meighan, Syracuse Courier and Poughkeepsie Eagle; J. D. Frederick, Syracuse Standard; H. C. Dannals, Rochester Herald.

The Senate sent for concurrence the following resolution:

*Whereas*, The city of New York is the most important seaboard center, not only of this State but of the United States, and a proper protection of the commercial and industrial interests of the city is by necessity connected with the prosperity of the country at large; and

*Whereas*, The harbor defenses and fortifications of the city of New York, against attacks from marine forces, are manifestly inadequate to afford security to the city, should such attacks be made upon it, and the erection and maintenance of proper and suitable defenses to the city is a matter of national importance, and properly belongs to the Federal Congress; therefore,

*Resolved* (if the Assembly concur), That our Senators and Representatives in Congress be requested to use their influence to secure an early appropriation sufficient for the speedy erection and proper maintenance of the fortifications and defenses necessary for the protection of the city of New York against hostile attacks.

*Resolved* (if the Assembly concur), That a copy of the foregoing resolution be forwarded to the Senators and Representatives in Congress from this State.

Said resolution being concurrent,

*Ordered*, That the same be laid upon the table.

Mr. Speaker presented the twenty-seventh annual report of the Children's Aid Society; which was laid on the table and ordered printed.

(See Doc. No. 33.)

Also, the report of the Board of Commissioners of Pilots; which was laid on the table and ordered printed.

(See Doc. No. 32.)

Mr. Speaker appointed as a committee to investigate charges relative to the lease of the Dannemora railroad, Messrs. Ingersoll, Chautauqua; Hayes, New York; Chickering, Lewis; Potts, Sullivan; Rhodes, Rensselaer.

Leave of absence was granted to Mr. Russell.

Mr. Griggs introduced a bill entitled "An act in relation to the police force of the city of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Congdon introduced a bill entitled "An act regulating and equalizing rates for transportation of property in this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Wells introduced a bill entitled "An act in relation to the appointment of referees in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Grosse introduced a bill entitled "An act to improve the public health in the city of New York, and in the city of Brooklyn, by regulating the manufacturing of cigars in the tenement houses of said cities," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

Mr. Dougherty introduced a bill entitled "An act to regulate the sale of intoxicating liquors, wines, ales and beer in cities of the State containing more than twenty thousand inhabitants," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Van Valkenburgh introduced a bill entitled "An act to authorize the common council of the city of Lockport to raise by tax and

disburse money in providing a system of fire alarm for said city of Lockport," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Duguid introduced a bill entitled "An act for the better protection of the traveling public," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Steele introduced a bill entitled "An act to exempt the county of Oswego, except the towns of Mexico, Richland and Sandy Creek, from the provisions and operation of chapter 180 of the Laws of 1878, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Steele, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	McAvoy	Sisson
Baker, B. F.	Cushing	McCabe	Skinner
Beach	Davis	McCarthy	Slingerland
Beates	Dougherty	Mead	Steele
Benedict, E. D.	Douglass	Miller	Strait
Brennan	Duguid	Mitchell	Tallmadge
Bridges	Ellis	Moore	Terry
Brodsky	Evans	Morgan	Thilemann
Bullock	Ferrie	Nowlan	Titus
Carpenter, I. S.	Fish	O'Connor	Treanor
Catlin	Gray	Peck	Tuthill, H. H.
Chamberlain	Griggs	Pitcher	Tuttle, R. M.
Childs	Grosse	Potter	Van Valkenburgt.
Chickering	Husted	Potts	Walsh
Clark	Hynes	Roberts	Warner
Clowes	Ingersoll	Root	Waterbury
Cohen	Kennedy	Seeley	Wells, D. A.
Comstock	Lefever	Shanley	Wells, J. L.
Congdon	Lindsay	Sherman	Wren
Cookinham	Low	Shuit	Youngs
Cullinan			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Chase introduced a bill entitled "An act to amend section 8, of chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

Mr. Youngs introduced a bill entitled "An act to limit and define the powers of boards of supervisors of the various counties of this State

in regard to authorizing town officers to borrow money on the credit of the towns," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Terry introduced a bill entitled "An act conferring upon the board of canal appraisers the power to allow amendments to claims," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Catlin introduced a bill entitled "An act to amend chapter 195 of the Laws of 1846, entitled 'An act to authorize the New York & New Haven Railroad Company to extend their railroad from the Connecticut line to the New York and Harlem Railroad,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Bridges presented a petition from the Presbytery of Otsego relative to the incorporation of religious societies; which was read and referred to the committee on charitable and religious societies.

On motion of Mr. Husted, and at 8 o'clock and 30 minutes, the House adjourned.

## TUESDAY MORNING, JANUARY 20, 1880.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. Darling.

The journal of yesterday was read and approved.

Leave of absence was granted to Mr. Baker, Mr. Low, and Mr. Tozier, until Friday.

The privileges of the floor were granted to Mr. Halsey, a former member of this House.

Mr. Congdon introduced a bill entitled "An act to provide for the incorporation of mutual relief societies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Childs introduced a bill entitled "An act to except the county of Cortland from the provisions and operation of chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

On motion of Mr. Childs, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 86 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord  
Ash

Deane  
Douglass

Lindsay  
McCabe

Slingerland  
Steele



Beach	Duell	McCarthy	Strait
Beates	Duguid	McDonald	Tallmadge
Benedict, E. D.	Ellis	McTernan	Terpeny
Benedict, T. E.	Evans	Miller	Terry
Brennan	Ferris	Mitchell	Thilemann
Bridges	Fish	Moors	Titus
Brodsky	Gibbs	Nowlan	Travis
Bullock	Gillette	O'Brien	Treanor
Carpenter, E. A.	Gorsline	O'Connor	Tuthill, H. H.
Carpenter, I. S.	Gray	Parker	Tuttle, R. M.
Case	Griggs	Peck	Varnum
Childs	Gwinup	Phillips	Warner
Clowes	Hoffman	Potts	Waterbury
Comstock	Howland	Root	Wells, D. A.
Congdon	Hurd	Seeley	Wells, J. L.
Cookinham	Husted	Sherman	Weston
Cullinan	Hynes	Shuit	Wiley
Curtis	Ingersoll	Sisson	Wren
Cushing	Kennedy	Skinner	Youngs
Davis	Lelever		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. I. S. Carpenter introduced a bill entitled "An act to authorize and facilitate the construction and improvements of sidewalks in the streets of incorporated villages, and the application of highway labor thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Duell introduced a bill entitled "An act to amend article 3, title 1, chapter 8, part 2 of the Revised Statutes, entitled 'Of divorces dissolving the marriage contract,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Mitchell introduced a bill entitled "An act concerning the recording of assignments of mortgages," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill entitled "An act to enable married women to testify in certain cases of criminal prosecution against their husbands," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Terry, by request, introduced a bill entitled "An act to repeal an act entitled 'An act to amend chapter 238 of the Laws of 1853, entitled 'An act relative to disputed wills,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Sherman introduced a bill entitled "An act to repeal chapter 874 of the Laws of 1876, entitled 'An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Travis introduced a bill entitled "An act to repeal chapter 515 of the Laws of 1879, entitled 'An act to amend chapter 625 of the Laws of 1875, entitled 'An act in relation to courts of record in the city and county of New York,'" which was read the first time,

and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Bradley introduced a bill entitled "An act to secure uniform ballots and preserve the purity of elections," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill entitled "An act relating to elections held in incorporated cities and villages containing not over three hundred thousand inhabitants," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Evans, from the committee on internal affairs, to which was referred the Assembly bill introduced by Mr. Lefever (introductory No. 20), entitled "An act authorizing the board of supervisors of the county of Ulster to issue bonds during the years 1880, 1881 and 1882, respectively, to pay portions of the county bonds falling due in said years," reported in favor of the passage of the same without amendment, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Sharpe, and by unanimous consent, the committee of the whole was discharged from the further consideration of said bill, and said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 101 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Deane	Low	Shuit
Ash	Douglass	McCabe	Sipp
Beates	Duguid	McCarthy	Sisson
Benedict, E. D.	Evans	McDonald	Skinner
Benedict, T. E.	Ferris	McTernan	Slingerland
Brennan	Fish	Mead	Steele
Bridges	Fiske	Miller	Tallmadge
Brodsky	Gibbs	Mitchell	Terpeny
Bullock	Gillette	Mooers	Terry
Carpenter, E. A.	Gorsline	Morgan	Thilemann
Carpenter, I. S.	Gray	Nowlan	Titus
Case	Griggs	O'Brien	Treanor
Catlin	Grosse	O'Connor	Tuttle, R. M.
Chase	Gwinup	Parker	Van Valkenburgh
Chickering	Hagan	Peck	Varnum
Childs	Havens	Phillips	Walsh
Clancy	Hayes	Pitcher	Warner
Clowes	Howland	Potter	Waterbury
Cohen	Hurd	Potts	Wells, D. A.
Comstock	Husted	Rhodes	Wells, J. L.
Congdon	Hynes	Root	Weston
Culnan	Ingersoll	Sanders	Wiley
Curtis	Kennedy	Seeley	Wren
Cushing	Lefever	Shanley	Mr. Speaker
Davis	Lindsay	Sherman	

Those who voted in the negative, were

Bradley                      Crapser

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Oase, from the committee on federal relations, to which was referred the Assembly bill introduced by Mr. J. L. Wells (introductory No. 22), entitled "An act further to amend chapter 147 of the Laws of 1876, entitled 'An act granting to the United States the right to acquire the right of way necessary for the improvement of the Harlem river and Spuyten Duyvil creek, from the North river to the East river, through the Harlem Kills, and ceding jurisdiction over the same' as amended by chapter 345 of the Laws of 1879," reported in favor of the passage of the same with some amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Speaker presented the statement of balances remaining unclaimed on the books of the German American Bank; which was laid on the table and ordered printed.

(See Doc. No. 35.)

Mr. Root presented a petition of citizens of Brockport for "An act authorizing and requiring the construction of a lift, swing or turn-table bridge over the Erie canal in the village of Lockport; which was read and referred to the committee on canals.

Mr. Deane presented a petition relating to a farmers' market; which was read and referred to the committee on the affairs of cities.

Mr. Beach presented a petition to check the demoralization of female prisoners and paupers in county jails and poor-houses; which was read and referred to the committee on State prisons.

Mr. Hurd called from the table the resolution previously offered by him in words following:

*Whereas*, There is a proposition, pending before a committee of Congress, to erect a swing bridge across Detroit river; and,

*Whereas*, Such a structure must of necessity seriously impede the navigation of the lakes, and materially interfere with the commerce of the same; and,

*Whereas*, The water route from Chicago to New York confessedly fixes railroad rates of the country; and,

*Whereas*, It is of vital importance that the water route be preserved free and unobstructed; therefore,

*Resolved* (if the Senate concur), That it is the sense of the Legislature of the State of New York, that the erection of such proposed structure would impede the navigation of the lakes, be prejudicial to the commerce of the country, and is therefore inexpedient and unwise.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

{ AYES 79 }  
{ NOES 5 }

Those who voted in the affirmative, were

Ash	Duguid	Lindsay	Seeley
Beach	Ellis	Low	Sherman
Brennan	Evans	McCabe	Sipp

Bridges	Ferris	McCarthy	Sisson
Bullock	Fish	McDonald	Skinner
Carpenter, E. A.	Fiske	McTernan	Tallmadge
Chase	Gorsline	Mead	Terpeny
Chickering	Gray	Miller	Terry
Childs	Griggs	Mitchell	Travis
Clowes	Grosce	Moore	Tuttle, R. M.
Congdon	Hagan	Morgan	Van Valkenburgh
Cookinham	Hayes	Nowlan	Varnum
Crapeer	Hoffman	O'Brien	Warner
Cullinan	Howland	O'Connor	Waterbury
Curtis	Hurd	Peck	Wells, J. L.
Cushing	Husted	Phillips	Weston
Davis	Hynes	Rhodes	Wiley
Deane	Ingersoll	Root	Wren
Douglas	Kennedy	Sanders	Youngs
Duell	Lefever		

Those who voted in the negative, were

Alford	Baker, B. F.	Benedict, E. D.	Havens
Parker			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent, Mr. Husted introduced a bill entitled "An act making an appropriation to pay the expenses of the publication of the concurrent resolutions proposing amendments to the Constitution, under the direction of the Secretary of State, for the year 1879," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

On motion of Mr. Husted, and at 12 o'clock and 20 minutes the House adjourned.

## WEDNESDAY MORNING, JANUARY 21, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Wendell.

The journal of yesterday was read and approved.

Mr. Speaker presented a communication from the comptroller in reply to a resolution of the Assembly requesting a copy of the current contract for Legislative printing.

Said communication with report was referred to the committee on printing, and ordered printed.

Mr. Brennan presented a petition of the St. Regis Indians, and others, asking for an appropriation for the construction of a public highway through the St. Regis reservation; which was read and referred to the committee on ways and means.

Mr. Cookinham presented a petition of members of the bar of Oneida county, for an appropriation for the law library of the supreme court of Utica; which was read and referred to the committee on ways and means.

Mr. Varnum in the chair.

Mr. Griggs introduced a bill entitled "An act for the improvement of the Hudson river and to make appropriation therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Clancy introduced a bill entitled "An act to provide compensation to property owners for damages occasioned by the construction, operation or use of elevated railroads within the cities of this State containing a population of over three hundred thousand inhabitants," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Russell introduced a bill entitled "An act to incorporate an association to be known as the 'Exempt Firemen Association of the Western District of the City of Brooklyn,' to be located in the western district of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Benedict introduced a bill entitled "An act to provide for the election of a town treasurer in the town of Gravesend, in the county of Kings, and to regulate and prescribe the duties of said officer," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Tallmadge introduced a bill entitled "An act to confer on boards of supervisors power to establish and change the date of the beginning of the fiscal year, in the different counties of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, the bill entitled "An act to provide for the payment to the treasurer of Kings county of the amount of State and county taxes annually raised by the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, the bill entitled "An act to amend chapter 353 of the Laws of 1878, entitled 'An act in relation to the term of office of the clerk and assistant clerk of the board of supervisors of Kings county, and of the engineers of the county court-house in said county,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, the bill entitled "An act to incorporate an association to be known as the 'Exempt Firemen's Charitable Association of the Western District of the City of Brooklyn,' to be located in the western district of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Sheridan introduced a bill entitled "An act in relation to compensation to be made for damages caused by the construction and operation of elevated railways in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Also, the bill entitled "An act to limit the power of grand juries, and to regulate the finding of indictments in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. C. S. Baker introduced a bill entitled "An act to repeal chapter 48 of the Laws of 1879, entitled 'An act to exempt the county of Monroe from the provisions and operations of chapter 253 of the Laws of 1878, entitled 'An act relating to the term of office of the supervisors of the counties of Albany, Livingston, Rensselaer and Monroe,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill entitled "An act to amend chapter 463 of the Laws of 1853, for the incorporation of life and health insurance companies, and in relation to agencies of such companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Also, the bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to confer additional power upon the metropolitan police relating to the inspection of steam boilers,' passed April 9, 1862; also, to amend an act entitled 'An act in relation to steam boilers in the metropolitan district,' passed June 22, 1867,' passed June 8, 1874,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Duell introduced a bill entitled "An act to fix the compensation of certain officers in the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Terpeny introduced a bill entitled "An act in relation to telephone and other companies doing a telephone business in this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Cookinham introduced a bill entitled "An act to authorize the board of supervisors of any county or the supervisor of any town to bring an action, and to recover back a tax collected for an illegal purpose," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill entitled "An act to divide the third and seventh wards of the city of Utica, and to create the eleventh and twelfth wards therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Phillips introduced a bill entitled "An act to amend chapter 287 of the Laws of 1879, entitled 'An act to provide for the formation of county and town co-operative insurance companies,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Havens introduced a bill entitled "An act to amend chapter 161 of the Laws of 1859, entitled 'An act to erect the village of Middleburgh into a separate road district, and the several acts amendatory thereof,' passed March 3, 1866, passed February 15, 1867, passed March 20, 1871, and passed May 14, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Sharpe introduced a bill entitled "An act to amend an act

entitled 'An act for the protection of tax payers against the frauds, embezzlements and wrongful acts of public officers and agents,' passed April 2, 1872, as amended by chapter 526 of the Laws of 1879," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Also, the bill entitled "An act to legalize and confirm the action of the board of supervisors of the county of Ulster, in the division of the town of Kingston, in said county, by erecting the town of Ulster therefrom and attaching a portion thereof to the town of Woodstock, in said county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Terry introduced a bill entitled "An act to establish district courts in the city of Troy, and to provide for the election of district court justices therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill entitled "An act to amend an act to incorporate the city of Troy, passed April 12, 1816, and the several acts amendatory thereof and supplementary thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Bradley introduced a bill entitled "An act to amend section 4 of title 3, and section 6 of title 4, of an act entitled 'An act for the incorporation of villages,' passed April 20, 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages; accompanied by a petition on the same subject.

Mr. Clark introduced a bill entitled "An act to prevent the bribing and corrupting of officers of the Seneca Nation of Indians," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Curtis introduced a bill entitled "An act to exempt the town of Guilford, Chenango county, from the provisions and operations of chapter 175 of the Laws of 1870, entitled 'An act creating a board of town auditors in the several towns of this State and to prescribe their powers and duties,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs; accompanied by a petition on the same subject.

Mr. Dougherty introduced a bill entitled "An act to establish, govern and manage the New York State Home for the Blind," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State charitable institutions.

Mr. Mitchell introduced a bill entitled "An act to prevent vivisection of animals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health; accompanied by a memorial on the same subject.

Mr. Terry, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Terry (introductory No. 147), entitled "An act conferring upon the board of canal appraisers the power to allow amendments to claims," reported in favor of the same with some amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Tallmadge (introductory No. 55), entitled "An act relating to vacancies in office," reported in favor of the passage of the same without amendment, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the excise bill introduced by Mr. Varnum (introductory No. 4), entitled "An act to suppress intemperance by regulating the sale, keeping, and disposal of strong, spirituous and intoxicating liquors, wines, ale and beer, in the city of New York," reported the same for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

Mr. Travis offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee on privileges and elections, to which was referred the petition of Thomas Liddle, contestant, claiming the seat of Hon. Joseph Hines, sitting member of 4th district of Albany county, have power to send for persons and papers; and

*Resolved*, That they be authorized to hold meetings, for the purpose of taking evidence thereon, in such places in this State as they shall deem necessary; and

*Resolved*, That they be authorized to employ W. S. Carpenter as stenographer and have the evidence printed daily as the case progresses; and

*Resolved*, That the compensation of such stenographer shall not exceed twenty cents per folio for taking and reporting all testimony and other necessary matters before said committee, including his services in transcribing such testimony and matters, comparing and correcting printer's proofs, and for all services he may render to and for said committee during its sessions; and

*Resolved*, That in addition thereto he be reimbursed his necessary traveling expenses and board, when absent from the capital on official duty.

Mr. Skinner moved to amend by striking out the word "twenty," and insert "fifteen."

Mr. Speaker put the question whether the House would agree to said amendment, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said resolution, as amended, and it was determined in the affirmative.

{ AYES 95 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Kennedy	Sherman
Ash	Curtis	Lefever	Shuit
Baker, B. F.	Cushing	Lindsay	Sisson
Baker, C. S.	Dougherty	Low	Skinner
Beach	Douglass	McAvoy	Slingerland
Beates	Duell	McCabe	Steele
Benedict, E. D.	Ellis	McCarthy	Tallmadge
Benedict, T. E.	Evans	McDonald	Terpeny
Bennett	Fish	McTernan	Terry
Bradley	Fiske	Miller	Thilemann
Brennan	Gibbs	Mitchell	Titus



Bridges	Gillette	Nowlan	Travis
Brodsky	Gorsline	O'Brien	Treanor
Bullock	Gray	O'Connor	Tully
Carpenter, E. A.	Griggs	Parker	Tuthill, H. H.
Chase	Grosse	Peck	Tuttle, R. M.
Chickering	Gwinup	Phillips	Varnum
Childs	Havens	Pitcher	Warner
Clowes	Hoffman	Potter	Waterbury
Cohen	Howland	Potts	Wells, D. A.
Congdon	Hurd	Rhodes	Wiley
Cookinham	Husted	Root	Wren
Crafts	Hynes	Sanders	Youngs
Crapser	Ingersoll	Seeley	

The privileges of the floor were granted to Hon. M. Laphan and Hon. Lewis Seeley.

Leave of absence was granted to Mr. Newman.

Mr. Titus offered for the consideration of the House a resolution in the words following:

*Whereas*, The bovine lung plague (contagious pluelo-pneumonia) is known to exist in each of the following States, viz.: New York, New Jersey, Delaware, Pennsylvania, Maryland and Virginia, and being an exotic which has never been known to be developed de novo, out of the center of the eastern continent, but is maintained in all other countries only by the production of disease germs, as a noxious plant is maintained by its seed, therefore giving the surest kind of a guarantee that it can be eradicated from this country, as it has from Norway, Sweden, Denmark, Schleswig-Holstein, Switzerland and the State of Massachusetts;

*Whereas*, This disease has been allowed to exist and increase for thirty-six years in the vicinity of New York city, into which it was first imported, and has spread from this center as far as Virginia, and is still spreading, and must sooner or later reach the open cattle ranges of Texas and the plains; the mingling of cattle in the pasture-fields and in transit from place to place, carrying the seed of the disease, as experience has demonstrated in many authenticated instances;

*Whereas*, The tendency of the disease is southward and westward, as it thrives best in warm seasons and climates. Should this cattle scourge become fairly introduced among the herds of the pasture-fields of the south and west, it will be impossible to expel it. Then its terrible ravages would be felt throughout the entire country, entailing losses almost beyond calculation;

*Whereas*, The magnitude of this subject can be better understood, and will become more apparent, by the statistics of losses by this plague in Great Britain and other countries. Information as to such losses, as well as a complete history of the malady, can be found by reference to a work by Prof. James Law, of Cornell University, entitled "The Lung Plague of Cattle, Contagious Pleuro-Pneumonia." To this gentleman are the people of this country greatly indebted for the timely warning, wisdom and knowledge therein set forth;

*Whereas*, General Patrick and Prof. Law, as agents of the State, have accomplished much in their efforts to stamp out this malady and prevent its spread. Some two thousand head of diseased cattle have been slaughtered, and about fifty thousand dollars expended by the State of New York, in the last year, in the work of stamping-out. This

work they find difficult and expensive. More needs to be done. There is a great lack of co-operation on the part of other States. This stands as an obstacle to effectual work. Strong measures are to be enforced; ports of entry vigilantly watched. In fact, prompt action is needed when and wherever required.

*Whereas*, It would seem to be the duty of the general government to supervise the business, and if possible sweep from the land every vestige of this plague; this is a matter in which the people of the United States, each and all, are interested; therefore it would appear just and proper that the burden should fall upon all; therefore

*Resolved* (if the Senate concur), That in view of the gravity of the subject and the circumstances as above set forth, that the Senators and Representatives from this State in Congress be requested to urge upon Congress such action as will provide ways and means to master this overshadowing scourge, so dangerous to one of the most important interests of our country.

By unanimous consent said resolution was referred to the committee on ways and means.

Mr. Hayes offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That one thousand copies of the Auditor's financial report for the fiscal year ending thirtieth September, 1879, be printed for the use of the Legislature, and that six hundred copies in addition thereto be printed for the use of the Auditor.

*Ordered*, That said resolution be referred to committee on public printing.

On motion of Mr. Husted, and at 11 o'clock and 50 minutes, the House adjourned.

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## THURSDAY MORNING, JANUARY 22, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Rufus Wendell.

The journal of yesterday was read and approved.

Privileges of the floor were granted to Hon. I. Cole, Hon. R. Marvin, also, Hon. J. Hoysradt, former members of this House.

Mr. Hoffman introduced a bill entitled "An act to incorporate the National Guard Mutual Relief Association of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on militia.

Mr. Roberts introduced a bill entitled "An act to amend chapter 419 of the Laws of 1870, entitled 'An act to revise the charter of the city of Buffalo,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Parker introduced a bill entitled "An act to amend chapter 388 of the Laws of 1879, entitled 'An act to amend chapter 549 of the Laws of 1867,' entitled 'An act passed February 11, 1860, entitled 'An act in relation to the cutting of ice in the Hudson river, providing additional safeguards for travelers and teams, and conferring juris-

diction over offenses mentioned in said act," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Gorsline introduced a bill entitled "An act to amend an act entitled 'An act to revise and consolidate the general acts relating to public instruction,' passed May 2, 1864," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Russell (by request) introduced a bill entitled "An act to amend section 66, of title 9, chapter 20, of part one of the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill entitled "An act in relation to the common lands of the town of Gravesend, which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Lindsay introduced a bill entitled "An act to amend subdivision 1, of section 9, of article 2, title 4, chapter 6, part 1 of the Revised Statutes, in relation to election and ballots," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Privileges of the floor were granted to Hon. B. Biglin and Hon. Solon B. Smith, former members of this House.

Mr. Wells introduced a bill entitled "An act to amend chapter 290 of the Laws of 1879, entitled 'An act to amend chapter 149 of the Laws of 1874, entitled 'An act to amend an act passed April 27, 1872, entitled 'An act to amend chapter 657 of the Laws of 1871, entitled 'An act to amend an act passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes, passed April 20, 1871,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

Mr. Treanor introduced a bill entitled "An act to repeal chapter 775 of the Laws of 1868, entitled 'An act to authorize the magistrates in the city of New York to commit orphans and friendless children to the care of the society known as the Shepherd's Fold of the Protestant Episcopal Church in the State of New York, and to repeal chapter 269 of the Laws of 1871, entitled 'An act authorizing the trustees of the society known as the Shepherd's Fold of the Protestant Episcopal Church in the State of New York, to place for adoption, or to bind out, children committed to the care of said society, in certain cases, and authorizing the board of supervisors of the county of New York to appropriate money thereto,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Mitchell introduced a bill entitled "An act relating to property and other matters connected with private rights," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. E. S. Carpenter introduced a bill entitled "An act amending the Code of Civil Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Bradley introduced a bill entitled "An act to repeal section 16 of chapter 143 of the Laws of 1874, entitled 'An act to authorize the formation of corporations for the erection and keeping of hotels,' and to re-enact the provisions of and to supplement chapter 371 of the Laws of 1866, entitled 'An act to extend the operation and effect of the act passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical and chemical purposes,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Steele (by request) introduced a bill entitled "An act to abolish the recorder's court of the city of Oswego as a court of record and to repeal chapter 866 of the Laws of 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Hoffman (by request) introduced a bill entitled "An act to amend an act entitled 'An act to amend section 2, chapter 209 of the Laws of 1877, entitled 'An act regulating the amount of capital stock for fire and marine insurance companies,' passed June 7, 1879,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. C. S. Baker introduced a bill entitled "An act to regulate the examinations and reports of fire and fire and inland navigation insurance companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Terry introduced a bill entitled "An act to establish a Penal Code," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill entitled "An act to establish a Code of Criminal Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill entitled "An act to establish a Civil Code," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Strait introduced a bill entitled "An act to amend section 8 of chapter 176 of the Laws of 1851, entitled 'An act to amend the law for the assessment and collection of taxes,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Also, the bill entitled "An act to enable the respective towns in the county of Rensselaer to reduce the number of its town officers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Cookinham introduced a bill entitled "An act for the relief of Theodore P. Ballou," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

Mr. Hurd introduced a bill entitled "An act requiring certain bonds and undertakings to be recorded," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Terry, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Deane (introductory No. 63), entitled "An act relative to janitors in district courts in the city of New York," reported in favor of the passage of the same without amendment, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Roberts (introductory No. 33), entitled "An act for the better security of mechanics, laborers and others who perform labor and furnish materials for buildings and other improvements on land in the city of Buffalo," reported in favor of the passage of the same without amendment, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Russell (introductory No. 42), entitled "An act to repeal chapter 402 of the Laws of 1878, entitled 'An act to authorize the county clerk of Kings county to arrange, assort and repair all judgments, decrees, orders and other papers filed or deposited in Kings county clerk's office, and to record and certify mutilated or injured writings affecting the title to real estate in said county, and providing compensation for his services in that respect,'" reported in favor of the passage of the same without amendment, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Baker (introductory No. 165), entitled "An act to repeal chapter 48 of the Laws of 1879, entitled 'An act to exempt the county of Monroe from the provisions and operations of chapter 253 of the Laws of 1878, entitled 'An act relating to the term of office of the supervisors of the counties of Albany, Livingston, Rensselaer and Monroe,'" reported in favor of the passage of the same without amendment, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Baker (introductory No. 23), entitled "An act to authorize the appointment of counselors at law as notaries public," reported in favor of the passage of the same with some amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Wren (introductory No. 37), entitled "An act in relation to and reducing the number of justices of the peace, creating judicial districts and providing for local inferior courts in the city of Brooklyn," reported the same for the consideration of the House.

Mr. Terry moved to recommit said bill to the committee on the judiciary, retaining its place in the general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Terry, from the committee on the judiciary, to which was referred the Assembly bill introduced by Mr. Congdon (introductory No. 149), entitled "An act to provide for the incorporation of mutual relief societies," reported the same for the consideration of the House.

Mr. Terry moved to recommit said bill to the committee on the judiciary, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Terry (introductory No. 173), entitled "An act to establish district courts in the city of Troy, and to provide for the election of district court justices," reported said bill for the consideration of the House.

Mr. Terry moved to recommit said bill to the committee on the judiciary, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Van Valkenburgh, from the committee on banks, to which was referred the bill introduced by Mr. Alvord (introductory No. 1), entitled "An act explanatory of the act entitled 'An act to amend title 3, chapter 4, of part 2 of the Revised Statutes, entitled 'Of the interest of money,' passed June 20, 1879," reported in favor of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Skinner, from the committee on railroads, to which was referred the bill introduced by Mr. Curtis (introductory No. 21), entitled "An act to authorize the sale by towns and villages, in the county of Chenango, of capital stock in railroad companies," reported in favor of the passage of the same without amendment, which report was agreed to and said bill committed to the committee of the whole.

Mr. Potter offered for the consideration of the House a resolution in the words following:

*Resolved*, That the State Engineer and Surveyor is hereby requested to report to this House, within thirty days, the character, kind and amount of work which will be required to be performed on those canals of the State now reserved for navigation in order to place the same in good navigable condition at the opening of navigation for the approaching season; and that he cause to be made all necessary surveys, examinations and computations requisite therefor; and that the said State Engineer and Surveyor also report his estimate of the approximate cost for such work as aforesaid, for each of the three divisions of said canals.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Mitchell moved to discharge the committee on public health on the bill entitled "An act to prohibit vivisection of animals," and that said bill be referred to the committee on the judiciary.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Bridges offered for the consideration of the House a resolution in the words following:

*Resolved*, That the comptroller be requested to furnish to this House, as soon as possible, a copy of the contract with C. Van Benthuyssen & Sons, for the legislative printing during the years 1878 and 1879, together with the whole amount paid under said contract for printing; and also whether all claims under said contract for printing have been paid, and if not, how much still remains unpaid; and, also, that he

furnish a copy of the contract for the legislative printing for the years 1876 and 1877, with Mr. Parmenter, together with the amount paid by the Comptroller under said contract.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Weston, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Havens (introductory No. 168), entitled "An act to amend chapter 161 of the Laws of 1859, entitled 'An act to erect the village of Middleburgh into a separate road district,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Weston, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Shuit (introductory No. 82), entitled "An act to amend chapter 431 of the Laws of 1875, entitled 'An act to amend the Revised Statutes in relation to the laying out of roads and the alterations thereof,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Weston, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Gray (introductory No. 36), entitled "An act to confirm and legalize the acts of the commissioner of highways and the board of town auditors of the town of Boonville," reported in favor of the passage of the same without amendment, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Russell introduced a bill entitled "An act authorizing the board of supervisors of the county of Kings to purchase lands for the purposes of the National Guard."

On motion of Mr. Wren, and by unanimous consent, said bill was referred to the Kings county members for consideration, and to report said bill back to the House at any time.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Husted moved to lay all order of business on the table for the purpose of making a statement in reference to the bill introduced by Mr. Russell, in reference to the purchase of lands for the purposes of the National Guard.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Wren, from the Kings county delegation, reported back said bill, as instructed by the House.

Mr. Alvord moved that all order of business be laid on the table down to general orders, for the purpose of considering the bill entitled "An act authorizing the board of supervisors of the county of Kings to purchase land for the purposes of the National Guard."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The House then resolved itself into committee of the whole on said bill, and after some time spent therein, Mr. Shanley, from said committee, reported progress on said bill, and asked leave to sit again.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Mr. Wren moved to discharge the committee of the whole from the further consideration of said bill, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill was ordered engrossed and to a third reading.

On motion of Mr. Husted, and by unanimous consent, said bill was ordered printed.

Mr. Duguid presented the report of the special committee on railroads, appointed under a resolution of the Assembly to investigate alleged abuses; which was laid on the table and ordered printed.

(See Doc. No. 38.)

By unanimous consent,

Mr. Duguid introduced a bill entitled "An act to amend section 2, chapter 917 of the Laws of 1869, entitled 'An act authorizing the consolidation of certain railroad companies,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee of the whole.

By unanimous consent,

Also, the bill entitled "An act to create a board of railroad commissioners and to define and regulate their powers and duties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee of the whole.

By unanimous consent,

Also, the bill entitled "An act to amend an act entitled 'An act to authorize the formation of railroad corporations and to regulate the same,' passed April 2, 1850," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee of the whole.

By unanimous consent,

Also, the bill entitled "An act to regulate voting by stock and bondholders of railroad corporations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee of the whole.

By unanimous consent,

Also, the bill entitled "An act to regulate the transportation of freight by railroad corporations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee of the whole.

By unanimous consent,

Also, the bill entitled "An act to amend sections 9 and 28 of chapter 140 of the Laws of 1850, entitled "An act to authorize the formation of railroad corporations and to regulate the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee of the whole.

The Senate sent for concurrence the resolution in the words following:

*Resolved* (if the Assembly concur), That a respectful message be sent to His Excellency the Governor requesting the return of Senate bill,



entitled "An act relative to the justices of the peace in the county of Columbia, designated and elected to hold courts of sessions in said county at the general election held on the 4th day of November, 1879," for amendment.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Speaker presented the annual report of the Auditor of the Canal Department; which was laid on the table and ordered printed.

(See Doc. No. 4.)

The Senate sent for concurrence the bills entitled as follows:

"An act giving the consent of the State of New York to the United States for the purchase of land at New Brighton and ceding jurisdiction over the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on federal relations.

Also, "An act to amend the law of evidence and practice on civil and criminal trials," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, "An act giving the consent of the State of New York to the purchase of or acquisition by the United States of two sites for range lights in Cold Spring Harbor (Queens county), Long Island, New York, and ceding jurisdiction over the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on federal relations.

On motion of Mr. Husted, and at 12 o'clock and 20 minutes, the House adjourned.

## FRIDAY MORNING, JANUARY 23, 1880.

The House met pursuant to adjournment.

Prayer by Rev. D. K. Bartlett.

The journal of yesterday was read and approved.

The Senate returned the Assembly resolution with reference to a proposition pending before a committee of Congress to erect a swing bridge across Detroit river, with a message that they have concurred in the same without amendment.

C. S. Baker in the chair.

Mr. Russell introduced a bill entitled "An act to amend an act entitled 'An act to incorporate the New York State Convention of Universalists, passed April 12, 1862, for the purpose of organizing a missionary board, and defining its powers and duties,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Tully introduced a bill entitled "An act to repeal chapter 443 of the Laws of 1868, entitled 'An act to limit and define the powers

and privileges of the Eureka Basin Warehouse and Manufacturing Company, of Long Island, passed April 29, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

Mr. Shanley introduced a bill entitled "An act to provide for the better and more economical government of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Chickering introduced a bill entitled "An act to authorize the railroad commissioners of the town of Lowville, in Lewis county, to take up certain bonds which, under chapter 14, section 4 of the Laws of 1872, may be taken up, and to issue others in place of said bonds at a lower rate of interest," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads. Accompanied by a petition on the same subject.

Mr. Warner introduced a bill entitled "An act to provide a lien to the keeper or boarder of horses," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Gibbs introduced a bill entitled "An act relative to the maintenance of the inmates of the Protestant Infant Asylum," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Wells introduced a bill entitled "An act in relation to filing notes of issue, and to prohibit the clerks of courts and counties from charging any fees therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Low introduced a bill entitled "An act conferring additional powers upon the board of supervisors of the county of Niagara, relative to expenses for the support of the poor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Phillips introduced a bill entitled "An act to incorporate the Grand Legion Select Knights of the Ancient Order of United Workmen," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Cullinan introduced a bill entitled "An act to provide for the construction of fishways in the State dams across the Oswego, Oneida and Seneca rivers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

Mr. Crapser introduced a bill entitled "An act to amend section 2 of chapter 405 of the Laws of 1879, entitled 'An act to amend sections 2 and 10 of chapter 248 of the Laws of 1878, entitled 'An act in relation to the election of officers in certain school districts,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education. Accompanied by a petition on the same subject.

Mr. Potter introduced a bill entitled "An act to amend an act en-

titled 'An act concerning the writ of certiorari in criminal cases, passed March 21, 1829,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Terry introduced a bill entitled "An act repealing certain acts and parts of acts," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Travis introduced a bill entitled "An act to amend an act entitled 'An act to incorporate the Public Exchange, passed April 22, 1868,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Varnum, by request, introduced a bill entitled "An act to legalize the acts of James M. Townsend, Jr., as notary public," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Sherman introduced a bill entitled "An act relating to the compensation of county clerks for services rendered their respective counties, and regulating the collections of the fees in their office," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Sheridan introduced a bill entitled "An act in relation to county officers and their compensation, as well as that of their deputies, clerks and assistants," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Baker (introductory No. 130), entitled "An act in relation to the partition of lands held by husband and wife as joint tenants, tenants in common, or as tenants by entireties," reported in favor of the passage of the same without amendment, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Mitchell (introductory No. 158), entitled "An act to enable married women to testify in certain cases of criminal prosecution against their husbands," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Clowes (introductory No. 46), entitled "An act to amend section 7 of chapter 591 of the Laws of 1870, entitled 'An act in relation to the custody and disposition of money arising from the sale of the plain or common lands of the town of Hempstead, Queens county, N. Y., passed May 3, 1870,' reported in favor of the passage of the same without amendment, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Potts (introductory No. 77), entitled "An act in relation to the rights and liabilities of married women," reported in favor of the passage of the same without amend-

ment, which report was agreed to and said bill committed to the committee of the whole

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Baker (introductory No. 52), entitled "An act further to amend chapter 417 of the Laws of 1877, entitled 'An act to repeal certain acts and parts of acts,'" reported in favor of the passage of the same without amendment, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Terry (introductory No. 134), entitled "An act supplemental to the Code of Civil Procedure," reported in favor of the passage of the same without amendment, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Van Valkenburgh (introductory No. 138), entitled "An act to authorize the common council of the city of Lockport to raise by tax and disburse money in providing a system of fire alarm for said city of Lockport," reported in favor of the passage of the same without amendment, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Terry (introductory No. 172), entitled "An act to amend an act to incorporate the city of Troy, passed April 12, 1816, and the several acts amendatory thereof and supplementary thereto," reported the same for the consideration of the House.

On motion of Mr. Terry said bill was ordered recommitted to the committee on affairs of cities, when printed.

On motion of Mr. Varnum, and by unanimous consent, the committee on affairs of cities was discharged from the further consideration of the bill entitled "An act to authorize and require the Secretary of State to collect and report public statutes," and said bill was referred to the committee on ways and means.

Mr. Saunders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Alvord (introductory No. 48), entitled "An act to amend chapter 277 of the Laws of 1868, entitled 'An act to amend an act entitled 'An act to provide for the incorporation of villages, passed December 7, 1847, and the several acts amending the same, so far as relates to the village of Baldwinsville, Onondaga county,'" reported in favor of the passage of the same without amendment, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sherman, from the committee on public education, to which was referred the petition of the inhabitants of school district No. 10, of New Hartford, Oneida county, presented by Mr. Cookinham, praying for relief, reported a bill entitled "An act to amend an act entitled 'An act to revise and consolidate the several acts relating to public instruction, passed May 2, 1864,'" which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Tallmadge (introductory No. 182),

entitled "An act to amend chapter 353 of the Laws of 1878, entitled 'An act in relation to the term of office of the clerk and assistant clerk of the board of supervisors of Kings county, and of the engineers of the county court-house in said county,'" reported in favor of the passage of the same without amendment, which report was agreed to and said bill committed to the committee of the whole.

Mr. Chickering, from the committee on game laws, to which was referred the bill introduced by Mr. Ellis (introductory No. 30), entitled "An act to release portions of the waters of Lake Ontario, in Jefferson county, from the operation of the provisions of sections 23 and 26 of chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,'" reported in favor of the passage of the same without amendment, which report was agreed to and said bill committed to the committee of the whole.

Mr. Husted, from the committee on ways and means, reported a bill entitled "An act making an appropriation to carry out the provisions of chapter 134 of the Laws of 1878, and chapter 306 of the Laws of 1879, entitled respectively 'An act in relation to infectious and contagious diseases of animals, and to provide for liquidating and discharging obligations incurred thereunder by the agents of the State,'" which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Griggs (introductory No. 162), entitled "An act for the improvement of the Hudson river, and to make an appropriation therefor," reported in favor of the passage of the same without amendment, which report was agreed to and said bill committed to the committee of the whole.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Husted (introductory No. 161), entitled "An act making an appropriation to pay the expenses of the publication of the concurrent resolutions providing amendments to the Constitution, under the direction of the Secretary of State in 1879, reported in favor of the passage of the same without amendment, which report was agreed to and said bill committed to the committee of the whole.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. H. H. Tuthill (introductory No. 72), entitled "An act to amend chapter 351 of the Laws of 1874, entitled 'An act to amend chapter 312 of the Laws of 1859, entitled 'An act to equalize the State tax among the several counties in the State, and to amend chapter 327 of the Laws of 1873, amendatory thereof, reported the same for the consideration of the House.

On motion of Mr. Husted, and by unanimous consent, said bill was ordered recommitted to the committee on ways and means, when printed.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Root (introductory No. 104), entitled "An act for the assessment and taxation of all the property in this State, and for levying taxes thereon, according to its true value in money, reported the same for the consideration of the House.

On motion of Mr. Husted, and by unanimous consent, said bill was

ordered recommitted to the committee on ways and means, when printed.

Mr. Ingersoll offered for the consideration of the House a resolution in the words following :

*Resolved*, That the special committee appointed by this House to investigate the leasing of the Plattsburgh and Dannemora railroad, to the Chateaugay Railroad Company, be and they hereby are authorized to employ a stenographer for the use of said committee.

*Resolved*, That Henry P. Cook be and he is hereby appointed such stenographer, and his compensation fixed at fifteen cents per folio, including transcribing the same and comparing and correcting printer's proofs, and all services which may be rendered by him for such committee, and in addition thereto he be reimbursed his necessary traveling expenses and board while necessarily absent from Albany on official business.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

{ AYES 76 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Duguid	McCabe	Sipp
Baker, C. S.	Ellis	McDonald	Sisson
Beach	Fish	Miller	Skinner
Benedict, E. D.	Fitzgerald	Mitchell	Slingerland
Benedict, T. E.	Gibbs	Mooers	Steele
Bradley	Gillette	Morgan	Tallmadge
Brennan	Gray	Newman	Terry
Bridges	Griggs	Nowlan	Thilemann
Brodsky	Grosse	O'Connor	Titus
Carpenter, I. S.	Gwinup	Peck	Travis
Chickering	Havens	Phillips	Treanor
Clark	Hayes	Potter	Tully
Clowes	Husted	Potts	Tuthill, H. H.
Cohen	Hynes	Rhodes	Tuttle, R. M.
Cookinham	Ingersoll	Root	Van Valkenburgh
Cushing	Lefever	Russell	Varnum
Davis	Lindsay	Sanders	Warner
Deane	Low	Seeley	Wells, J. L.
Dougherty	McAvoy	Sheridan	Wren

Mr. Travis moved that when this House adjourn, it be to meet on Monday evening, at 8 o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Cohen offered for the consideration of the House a resolution in the words following :

*Resolved*, That the Knickerbocker Life Insurance Company, of the city of New York, be and they are hereby directed to report, within twenty days after the passage of this resolution, a statement as to how many death claims have been paid, settled or compromised ; as also the number of claims now in litigation, together with the amount paid for counsel and retaining fees within two years last past.

Said resolution giving rise to debate,

*Ordered*, That the same be laid upon the table.

Mr. Terpeny offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the committee on general laws be discharged from the further consideration of the bill entitled "An act in reference to telephones and other companies doing a telephone business in this State," and that it be referred to the committee on trade and manufactures.

Said resolution giving rise to debate,

*Ordered*, That the same be laid upon the table.

By unanimous consent,

Mr. Hayes introduced a bill entitled "An act relative to auctioneers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The House then resolved itself into the committee of the whole on the bill entitled as follows:

"An act relating to vacancies in office."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Sheridan from said committee reported in favor of the passage of said bill amended as follows:

"An act to declare the cases in which offices shall be deemed vacant."

Mr. Speaker put the question whether the House would agree to said amendment, and it was determined in the affirmative.

Said bill was ordered engrossed for a third reading.

The Senate sent for concurrence the bills entitled as follows:

"An act to legalize the acts of certain town officers of the town of New Rochelle, and to authorize the issue of bonds by said town," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, "An act to amend chapter 176 of the Laws of 1879, entitled 'An act in relation to writs of error in behalf of the people in criminal cases,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, "An act to amend chapter 476 of the Laws of 1879, entitled 'An act to establish the office of receiver of taxes in the town of New Rochelle in the county of Westchester,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Speaker presented the report of the trustees of the Wadsworth Library; which was laid on the table and ordered printed.

(See Doc. No. 39.)

Also, the report of the Superintendent of the Onondaga Salt Springs; which was laid on the table and ordered printed.

(See Doc. No. 40.)

On motion of Mr. Husted, and at 11 o'clock and 45 minutes, the House adjourned.

## MONDAY EVENING, JANUARY 26, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Bartlett.

The journal of Friday, January 23, was read and approved.

Mr. Speaker presented the report of the New York Infant Asylum for the year ending December 31, 1879; which was laid on the table and ordered printed.

(See Doc. No. 41.)

A message from His Excellency the Governor was received, in the words following:

STATE OF NEW YORK,  
EXECUTIVE CHAMBER,  
ALBANY, January 26, 1880. }

*To the Legislature:*

The annual report of the acting Captain of the Port of New York of the fees collected by him in the year 1879, is herewith respectfully transmitted.

ALONZO B. CORNELL.

Also the following:

STATE OF NEW YORK,  
EXECUTIVE CHAMBER,  
ALBANY, January 26, 1880. }

*To the Assembly:*

The annual report of the Trustees of the Cooper Union for the Advancement of Science and Art, for the year ending December 31, 1879, is hereby respectfully transmitted.

ALONZO B. CORNELL.

The oath of office was administered to Mr. Costello, a member of this House, having been detained at home by sickness.

Leave of absence was granted, indefinitely, to Mr. Tozier.

Mr. Clark introduced a bill entitled "An act to incorporate the James Prendergrast Library Association, of Jamestown, New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Beates introduced a bill entitled "An act to amend chapter 127 of the Laws of 1860, entitled 'An act to organize a fire department in the village of Delhi, Delaware county,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Hurd introduced a bill entitled "An act to abolish the use of weigh-locks on the canals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Brennan introduced a bill entitled "An act to amend an act entitled 'An act to revise and consolidate the general acts relating to public instruction, passed May 2, 1864,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Benedict introduced a bill entitled "An act amending chapter 448 of the Laws of 1876, commonly known as the Code of Civil Pro-



cedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Chickering introduced a bill entitled "An act to declare Independence river and its tributaries in Lewis and Herkimer counties a public highway," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. C. S. Baker introduced a bill entitled "An act to consolidate and amend the charter of the city of Rochester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill entitled "An act to provide for the improvement and care of private parks in the several cities of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Mitchell introduced a bill entitled "An act to authorize the issue of certain bonds and stocks of the city of New York exempt from taxation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Varnum introduced a bill entitled "An act to protect Central Park in the city of New York and the streets bordering upon the same, from encroachment by elevated railroads," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Alvord introduced a bill entitled "An act to alter and define a part of the boundary line between the counties of Oswego and Onondaga," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on civil divisions.

Also, the bill entitled "An act to make the office of supervisor in the county of Onondaga a salaried office and to provide for the appointment and compensation of other officers of said board," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Duguid introduced a bill entitled "An act to incorporate the National Tent of the National Order of Rechabites," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Clowes introduced a bill entitled "An act relating to the term of office of supervisors in the several towns of Queens county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Husted introduced a bill entitled "An act to authorize the State Comptroller to dispose of United States Securities held by him for various trust funds and to reinvest the proceeds from sales of said securities," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Peck (by request) introduced a bill entitled "An act to authorize the Ogdensburgh and Lake Champlain Railroad Company to issue bonds and to execute a mortgage to raise funds to provide for the

retirement of its preferred stock and other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Varnum, from the committee on affairs on cities, to which was referred the bill introduced by Mr. C. S. Baker (introductory No. 244), entitled "An act to consolidate and amend the charter of the city of Rochester," reported the same for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Tallmadge (introductory No. 177), entitled "An act to confer upon boards of supervisors power to establish and change the date of the beginning of the fiscal year in the different counties of the State," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Tallmadge (introductory No. 174), entitled "An act to provide for the payment to the treasurer of Kings county of the amount of State and county taxes annually raised by the city of Brooklyn," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Curtis (introductory No. 178), entitled "An act exempting the town of Guilford, Chenango county, from the provisions and operations of chapter 175 of the Laws of 1870, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties,' " reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Travis offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That the Adjutant-General of the State of New York be and he is hereby authorized and directed to prepare, or cause to be prepared, a suitable badge or medal for each surviving officer, non-commissioned officer, musician and private of the several regiments, battalions, troops and batteries of the State of New York, who served in the late rebellion, and who received an honorable discharge, at a cost or expense not exceeding fifty cents each.

*Resolved*, That the committee of ways and means of the Assembly, and finance of the Senate, be and they are hereby authorized and directed to provide for the payment of the expense thereof.

*Ordered*, That said resolution be referred to the committee on militia.

Mr. Varnum offered for the consideration of the House a resolution in the words following:

*Resolved*, That power be granted to the committee on affairs of cities to hold sessions from time to time in the city of New York, or other cities of this State, for the purpose of making inquiries or conducting investigations in relation to municipal affairs, whenever said committee may deem that public business will be facilitated thereby; with further power to send for persons and papers, and when deemed necessary, to employ a stenographer, at a compensation not exceeding fifteen cents per folio.

Said resolution giving rise to debate,

*Ordered*, That the same be laid upon the table.

Mr. Terpeny called from the table a resolution previously offered by him in the words following :

*Resolved*, That the committee on general laws be discharged from the further consideration of the bill entitled "An act in reference to telephones and other companies doing a telephone business in this State;" and that it be referred to the committee on trade and manufactures.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Hurd offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That of the Auditor's expenditure report for the fiscal year ending 30th September, 1879, there be printed 500 copies for the use of the Auditor, and 500 copies for the use of the Legislature.

*Ordered*, That said resolution be referred to the committee on public printing.

On motion of Mr. Varnum, and by unanimous consent, the bill No. 8, entitled "An act to suppress intemperance, by regulating the sale, keeping and disposal of strong, spirituous and intoxicating liquors, wines, ale and beer in the city of New York," was recommitted to the committee on internal affairs.

The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act conferring upon the board of canal appraisers the power to allow amendments to claims."

"An act to authorize the appointment of counselors at law as notaries public."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Chickering, from said committee, reported in favor of the passage of the first named bill; which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Chickering, from said committee, also reported progress on the last named bill, and asked and obtained leave to sit again.

On motion of Mr. Husted, and at 8 o'clock and 40 minutes, the House adjourned.

## TUESDAY MORNING, JANUARY 27, 1880.

The House met pursuant to adjournment.

No clergyman being present.

The journal of yesterday was read and approved.

This being the day assigned under the rule for the consideration of general orders,

The House resolved itself into committee of the whole on the bills entitled as follows:

"An act for the better security of mechanics, laborers and others who perform labor or furnish materials for buildings and other improvements on land in the city of Buffalo."

"An act relative to janitors in district courts in the city of New York."

"An act to authorize the appointment of counselors at law as notaries public."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Titus, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Titus, from said committee, also reported in favor of the passage of the second named bill, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Titus, from said committee, also reported in favor of the passage of the last named bill, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to declare the cases in which offices shall be deemed vacant."

"An act authorizing the board of supervisors of the county of Kings to purchase land for the purposes of the national guard."

"An act conferring upon the board of canal appraisers the power to allow amendments to claims."

Privileges of the floor were granted to Hon. J. Strack and Hon. Mr. Parsons.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act explanatory of the act entitled 'An act to amend title 3, chapter 4, of part 2 of the Revised Statutes, entitled 'Of the interest of money,' passed June 20, 1879.'"

"An act to repeal chapter 402 of the Laws of 1878, entitled 'An act to authorize the county clerk of Kings county to arrange, assort and repair all judgments, decrees, orders and other papers filed or deposited in Kings county clerk's office, and to record and certify mutilated or injured writings affecting the title to real estate in said county, and providing compensation for his services in that respect.'"

"An act to amend chapter 161 of the Laws of 1859, entitled 'An act to erect the village of Middleburgh into a separate road district,' and the several acts amendatory thereof, passed March 3, 1866, passed February 15, 1867, passed March 20, 1871, and passed May 14, 1872."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Griggs, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Griggs, from said committee, also reported in favor of the passage of the last named bill, with amendments, and the title amended by striking out all after the word "thereof" in said title, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Alvord moved to recommit said bill to the committee on roads and bridges, retaining its place on order of third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Clancy moved to recommit the bill entitled "An act to repeal chapter 402 of the Laws of 1878, entitled 'An act to authorize the county clerk of Kings county to arrange, assort and repair all judg-

ments, decrees, orders and other papers filed or deposited in Kings county clerk's office, and to record and certify mutilated or injured writings affecting the title to real estate in said county, and providing compensation for his services in that respect," to the committee on the judiciary, retaining its place on order of third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Privileges of the floor were granted to Hon. W. B. Veeder, Hon. John I. Bergen, and Hon. Mr. Fiske, former members of this House; also, Hon. Mr. Plumb, Member of the Canadian Parliament.

Leave of absence was granted to Hon. Mr. Curtis.

The House again resolved itself into a committee of the whole on the bill entitled as follows:

"An act to confirm and legalize the acts of the commissioner of highways of the town of Boonville, in building a bridge across Black river near Crandall's mill, in 1879, and to confirm and legalize the acts of the town auditors of said town in auditing the bills for the expense thereof."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Dougherty, from said committee, reported in favor of the passage of said bill, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Slingerland introduced a bill entitled "An act to amend an act, passed March 18, 1870, entitled 'An act to amend the act to combine into one act the several acts relating to the city of Albany,' passed April 12, 1845, and the several acts amendatory thereof; and also, to repeal the 'Act to establish a capital police district, and to provide for the government thereof,' passed April 22, 1865, and the several acts amendatory thereof, in so far as they relate to the city of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Morgan introduced a bill entitled "An act for the preservation of fish in Cool's brook, in the town of Wellsville, in the county of Allegany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws. Accompanied by a petition on the same subject.

Mr. Childs introduced a bill entitled "An act to provide for the preservation and use of the leases of gospel and school lots," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Roberts (by request) introduced a bill entitled "An act to legalize and confirm certain proceedings of the board of health of the city of Buffalo, taken in the years 1877 and 1878, in respect to the abatement of certain nuisances," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill entitled "An act to establish a local court of civil jurisdiction in the city of Buffalo, to be called the Municipal Court of Buffalo, and to amend the charter of said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill entitled "An act to amend an act entitled 'An act to consolidate the several school districts in the town of Grand Island, Erie county, and to provide for a board of education therein, passed April 26, 1879,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Shanley introduced a bill entitled "An act in relation to the Prospect Park and Flatbush Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Clancy introduced a bill entitled "An act to provide for the payment of certain assessments on property of the Bridge Street African Methodist Episcopal Church of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Wren introduced a bill entitled "An act for the extension of a certain highway in the city of Brooklyn to and in the town of Newtown, Queens county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Miller introduced a bill entitled "An act to release to Ellen Kennedy and others the right, title and interest of the people of the State of New York, in and to certain real estate in the county of Madison, of which Richard Kennedy died seized," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens. Accompanied by a petition on the same subject.

Mr. C. S. Baker introduced a bill entitled "An act for the relief of James E. Hayden and Oscar E. Hayden," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Hayes introduced a bill entitled "An act to provide for the payment of the expenses of the department of docks of the city of New York and for the acquisition of property for dock purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill entitled "An act in relation to pilotage in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Wells (by request) introduced a bill entitled "An act to amend chapter 329 of the Laws of 1874, entitled 'An act to re-enact and amend an act entitled 'An act to provide for the annexation of the towns of Morrisania, West Farms and King's Bridge, in the county of Westchester, to the city and county of New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Varnum introduced a bill entitled "An act to facilitate the foreclosure of mortgages and to reduce the expenses thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Rhodes (by request) introduced a bill entitled "An act to amend the statutes in relation to recording conveyances," which was

read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary. Accompanied by a petition on the same subject.

Mr. Sharpe introduced a bill entitled "An act to repeal section 3 of an act entitled 'An act to provide for the extension of the New York, Kingston and Syracuse Railroad, passed June 9, 1873,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Also, the bill entitled "An act to repeal chapter 458 of the Laws of 1871, entitled 'An act to provide for the extension of the Rondout and Oswego Railroad to the east bank of the Hudson river, and to establish a ferry over said river,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Bradley introduced a bill entitled "An act to amend section 90, chapter 426 of the Laws of 1847, entitled 'An act for the incorporation of villages,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, the bill entitled "An act for the relief of the Manhattan Savings Institution of the city of New York, and to authorize the city of Yonkers to issue bonds for certain purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Also, the bill entitled "An act to amend chapter 888 of the Laws of 1869, entitled 'An act to amend title 16, chapter 8, part 3 of the Revised Statutes, relative to proceedings for the drainage of swamps, marshes and other low or wet lands and for draining farm lands,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. D. A. Wells introduced a bill entitled "An act to enable the electors of the town of Mayfield, Fulton county, N. Y., to vote by districts for town officers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Tallmadge introduced a bill entitled "An act to amend chapter 863 of the Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn and the various amendments thereof,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Hurd offered for the consideration of the House a resolution in the words following:

*Resolved*, The Canal Auditor is hereby requested to report to this House within five days the amount of money expended and paid out on the canals of this State since the first day of October, 1879.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Hurd offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That article 7 of the Constitution is hereby amended so as to read as follows:

SECTION 1. Section 1 and section 2 of article 7 of the Constitution of the State are hereby abrogated and amended.

§ 2. Section 3 of said article shall be changed to section 1, and the said section shall hereafter read as follows:

§ 1. The Legislature shall not lease, sell or otherwise dispose of the Erie canal, the Oswego canal, the Champlain canal, the Black River canal, or the Cayuga and Seneca canal, but they shall remain the property of the State and under its management forever. The rates of toll on persons and property transported on the canals shall not be reduced below those for the year 1852, except by the Canal Board with the concurrence of the Legislature. All contracts for work or materials on any canal shall be made with the person who shall offer to do or provide the same at the lowest price, with adequate security for their performance. No extra compensation shall be made to any contractor, but if, from any unforeseen cause, the terms of any contract shall prove to be unjust and oppressive, the Canal Board may, upon the application of the contractor, cancel such contract.

§ 3. Hereafter the expenditures for collection, superintendence, ordinary or extraordinary repairs on the canals named in the first section of this article, shall not exceed in any year their gross receipts for the previous year, except in cases hereinafter provided.

§ 4. There shall be created a fund under the control and management of the commissioners of the canal fund, which shall be made up in the following manner:

1. Of all funds that may be derived from any lease, sale or other dispositions of any canal, other than the canals named in the first section of this article.

2. From any excess of gross receipts of the previous year, beyond the expenditures for collection, superintendence, ordinary and extraordinary repairs on the canals named in the first section of this article for the year next subsequent thereto.

3. By the transfer thereto of the sum of \$400,000 now in the treasury, which has been paid therein in pursuance of the requirements of act chapter 425 of the Laws of 1876, for the deepening of the channel of the canal. All of which fund so hereby created shall be invested in stocks or bonds of this State or the United States, and may, under the direction and enactment of the Legislature from time to time, be appropriated to make up any deficiency to meet the ordinary or extraordinary expenditures of the canals beyond the requirements and restrictions of the second section of this article, or for permanent improvement of the canals. And in addition hereto, in case of any extraordinary necessity arising out of any unforeseen or unprovided for disaster to the canals, the Legislature may, in its discretion, by a vote of two-thirds of all the members elected to each branch of the Legislature, appropriate a sum in any one year, not exceeding \$500,000, out of the general fund, for the purpose of canal reparation and restoration; which last-mentioned sum shall be restored to the general fund from the fund herein created as soon as may be, and in preference to any other claim upon such fund.

- § 5. Strike out sections 4, 5 and 6; make sections 7, 8, 9, 10, 11, 12, 13 and 14, to read sections 4, 5, 6, 7, 8, 9, 10 and 11.

- § 11. The present canal funded debt shall hereafter be named a general fund debt, and shall be redeemed and paid at the time or the times when the same becomes due by taxation; and the payment of



the principal and interest thereof shall be provided for by a sinking fund in the same manner as now, except that the income from the canals shall not be called upon for that purpose.

§ 12. This article of the Constitution hereby reconstructed shall be and remain article 7 of the Constitution, in place and stead of article 7 of the Constitution hereby amended.

On motion of Mr. Husted and by unanimous consent, said bill was ordered printed and placed on the bill files of members, and laid on the table.

Mr. Fiske offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee on federal relations be discharged from the further consideration of the bill entitled "An act to authorize the construction of an island upon, and conveyance of a portion of, Robbins reef, in the harbor of New York," and that the same be referred to the committee on commerce and navigation.

Said resolution giving rise to debate,

*Ordered*, That the same be laid upon the table.

Mr. Skinner offered for the consideration of the House a resolution in the words following:

*Resolved*, That the Secretary of State be requested to furnish the Assembly, within five days, with a complete list of all newspapers authorized by that department to publish the concurrent resolutions passed by the Legislature of 1879, and the price agreed upon with each newspaper for such publication.

Mr. Speaker put the question whether the House would agree to the resolution, and it was determined in the affirmative.

Mr. Skinner offered for the consideration of the House a resolution in the words following:

*Whereas*, At the last session of the Legislature the following amendments were proposed in the Senate and Assembly, viz.:

*Resolved* (if the Senate concur), That section 6 of article 10 of the Constitution be amended so as to read as follows:

§ 6. The political year and legislative term shall begin on the first day of January, and the Legislature shall, every second year, assemble on the first Tuesday after the first Monday in January, unless a different day shall be appointed by law.

*Resolved* (if the Senate concur), That sections 2, 5 and 6 of article 3 of the Constitution be amended so as to read as follows:

§ 2. The Senate shall consist of thirty-two members, and the Senators shall be chosen for four years. The Assembly shall consist of one hundred and twenty-eight members, who shall be chosen for two years.

§ 5. The Assembly shall consist of one hundred and twenty-eight members elected for two years. The members of Assembly shall be apportioned among the several counties of the State by the Legislature, as nearly as may be, according to the number of their respective inhabitants, excluding aliens, and shall be chosen by single districts. The Assembly districts shall remain as at present organized, until after the enumeration of the inhabitants of the State in the year eighteen hundred and eighty-five. The Legislature, at its first session after the return of every enumeration, shall apportion the members of Assembly among the several counties of the State in the manner aforesaid; and the board of supervisors in such counties as may be entitled

under such apportionment to more than one member, except the city and county of New York, and in said city and county the board of aldermen of said city shall assemble at such time as the Legislature making such apportionment shall prescribe, and divide their respective counties into Assembly districts, each of which districts shall consist of convenient and contiguous territory, equal to the number of members of Assembly to which such counties shall be entitled, and shall cause to be filed in the offices of the Secretary of State and the clerks of their respective counties, a description of such districts, specifying the number of each district and the population thereof, according to the last preceding enumeration, as near as can be ascertained; and the apportionment and districts shall remain unaltered until another enumeration shall be made as herein provided. No town shall be divided in the formation of Assembly districts. Every county heretofore established and separately organized, except the county of Hamilton, shall always be entitled to one member of Assembly, and no new county shall be hereafter erected unless its population shall entitle it to a member. The county of Hamilton shall elect with the county of Fulton until the population of the county of Hamilton shall, according to the ratio, be entitled to a member. But the Legislature may abolish the said county of Hamilton and annex the territory thereof to some other county or counties. Nothing in this section shall prevent division, at any time, of counties and towns, and the erection of new towns and counties by the Legislature.

§ 6. Each member of the Legislature shall receive for his services an annual salary of seven hundred and fifty dollars. The members of either House shall also receive the sum of one dollar for every ten miles they shall travel in going to and returning from their place of meeting once in each session on the most usual route. When the Senate and Assembly are convened in extra or special session, upon the call of the Governor, each member of the Legislature shall receive an additional allowance of ten dollars a day, and Senators, when the Senate alone is convened in extraordinary session, or when serving as members of the court for the trial of impeachments; and such members of the Assembly, not exceeding nine in number, as shall be appointed managers of an impeachment, shall receive an additional allowance of ten dollars; and

*Whereas*, The said proposed amendments were agreed to by a majority of the members elected to each of the two Houses of the said Legislature, entered in their journals, with the yeas and nays taken thereon, and referred to the Legislature to be chosen at the then next general election of Senators; and

*Whereas*, Such election has taken place and said proposed amendments were duly published for three months previous to the time of making such choice, in pursuance of the provisions of section 1 of article 13 of the Constitution; therefore

*Resolved* (if the Senate concur), That the Assembly do agree to the proposed amendment.

On motion of Mr. Skinner, and by unanimous consent, said resolutions were ordered printed and placed on bill files of members.

Mr. Olancy offered for the consideration of the House a resolution in the words following:

*Whereas*, Charles S. Parnell, M. P., is now on a visit to the city of Albany; and,

*Whereas*, We recognize the efforts of the honorable gentleman for the relief of starvation in Ireland ; therefore,

*Resolved*, That Hon. Charles S. Parnell, during his brief visit to the city of Albany, be given the privileges of the floor of this Assembly.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Cohen presented the report of the Hebrew Sheltering Guardian Society, of New York ; which was laid on the table and ordered printed.

(See Doc. No. 44.)

The bill entitled "An act to declare the cases in which offices shall be deemed vacant," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 75 }  
{ NOES 11 }

Those who voted in the affirmative, were

Alvord	Congdon	Low	Sisson
Baker, C. S.	Coekinham	McCabe	Skinner
Beach	Cullinan	Mitchell	Slingerland
Beates	Cushing	Mooers	Talmadge
Benedict, E. D.	Deane	Morgan	Terry
Benedict, T. E.	Duell	Nowlan	Titus
Bradley	Duguid	O'Brien	Travis
Brennan	Ellis	O'Connor	Tuttle, R. M.
Bridges	Evans	Parker	Van Valkenburgh
Brodsky	Fish	Potter	Varnum
Bullock	Fiske	Potts	Warner
Carpenter, E. A.	Gillette	Roberts	Waterbury
Carpenter, I. S.	Gorsline	Root	Wells, D. A.
Chamberlain	Gray	Russell	Wells, J. L.
Chickering	Griggs	Sanders	Weston
Childs	Hayes	Seeley	Wren
Clark	Howland	Sherman	Youngs
Clowes	Ingersoll	Shuit	Mr. Speaker
Comstock	Lindsay	Sipp	

Those who voted in the negative, were

Catlin	Gibbs	Rhodes	Treanor
Clancy	Havens	Shanley	Walsh
Cohen	Newman	Thilemann	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act authorizing the board of supervisors of the county of Kings to purchase land for the purposes of the National Guard," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Cookinham	Husted	Rhodes
Baker, C. F.	Cullinan	Hynes	Roberts
Beates	Cushing	Ingersoll	Root
Benedict, E. D.	Deane	Kennedy	Sanders
Benedict, T. E.	Dougherty	Lefever	Seeley
Bennett	Douglass	Lindsay	Shanley
Bradley	Duell	Low	Sherman
Brennan	Duguid	McCabe	Shuit
Bridges	Ellis	McDonald	Terry
Brodsky	Evans	Mead	Thilemann
Bullock	Ferris	Miller	Titus
Carpenter, E. A.	Fish	Mitchell	Travis
Carpenter, I. S.	Gibbs	Mooers	Treanor
Catlin	Gillette	Morgan	Tuthill, H. H.
Chamberlain	Gorsline	Newman	Tuttle, R. M.
Chase	Gray	O'Brien	Van Valkenburgh
Chickering	Gwinup	O'Connor	Varnum
Clowes	Hayes	Parker	Waterbury
Cohen	Hoffman	Phillips	Wells, D. A.
Comstock	Howland	Potter	Wren
Congdon	Hurd	Potts	Youngs

Those who voted in the negative, were

Crapeer

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act conferring upon the Board of Canal Appraisers the power to allow amendments to claims," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Lindsay	Shanley
Baker, B. F.	Costello	Low	Sherman
Beates	Cullinan	McCabe	Shuit
Benedict, E. D.	Cushing	McDonald	Sipp
Bennett	Deane	Mead	Sisson
Bradley	Dougherty	Miller	Skinner
Brennan	Douglass	Mitchell	Slingerland
Bridges	Duell	Mooers	Terry
Brodsky	Ellis	Morgan	Titus
Bullock	Evans	Nowlan	Travis
Carpenter, E. A.	Ferris	O'Brien	Treanor
Carpenter, I. S.	Fish	O'Connor	Tully
Case	Gillette	Parker	Tuttle, R. M.
Catlin	Gorsline	Phillips	Van Valkenburgh
Chamberlain	Gray	Potter	Varnum
Chickering	Hoffman	Potts	Warner

Childs	Hurd	Rhodes	Waterbury
Clark	Husted	Roberts	Wells, D. A.
Clowes	Hynes	Root	Wells, J. L.
Cohen	Ingersoll	Sanders	Wren
Comstock	Kennedy	Seeley	Youngs
Congdon	Lefever		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Husted, and at 12 o'clock and 50 minutes, the House adjourned.

### WEDNESDAY MORNING, JANUARY 28, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Reese.

The journal of yesterday was read and approved.

Mr. Husted moved to take a recess for fifteen minutes for the purpose of members being introduced to Mr. Parnell, M. P.

Fifteen minutes having expired the House again met.

Privileges of the floor were granted to Hon. Mr. Simonds, Hon. T. V. P. Tallmadge, Hon. Mr. Williams, Hon. S. A. Clark and Hon. Mr. Howard, former members of the House.

Leave of absence was granted to Mr. Gillette until Tuesday.

Mr. Roberts introduced a bill entitled "An act to regulate the location of future burial grounds or cemeteries within the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Wells introduced a bill entitled "An act conferring additional powers and duties upon the board of education of school district No. 4, in the village of Johnstown, Fulton county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Also, the bill entitled "An act to amend section 2 of chapter 405 of the Laws of 1879, entitled 'An act to amend sections 2 and 10 of chapter 248 of the Laws of 1878, entitled 'An act in relation to the election of officers in certain school districts,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Mitchell introduced a bill entitled "An act concerning the pilots of the channel of the East river, commonly called Hell Gate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Also, the bill entitled "An act to provide for the licensing and government of the pilots, and regulating pilotage of the port of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Alvord introduced a bill entitled "An act to amend chapter 13 of part 1 of the Revised Statutes, in relation to assessments,"

which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Case introduced a bill entitled "An act to legitimize Josephine G. Gibson," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary. Accompanied by a petition on the same subject.

Also, the bill entitled "An act to revise the Gypsum Cemetery Association in Ontario county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Cullinan introduced a bill entitled "An act to amend section 1176 of article 1 of title 5 of the Code of Civil Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Youngs introduced a bill entitled "An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

Mr. Evans introduced a bill entitled "An act to incorporate the fire department of the village of Waterloo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Potts introduced a bill entitled "An act to exempt the corporation of the village of Monticello in Sullivan county and the trustees and other officers of said village from the provisions of chapter 440 of the Laws of 1873, entitled 'An act requiring commissioners of highways to act as inspectors of plank-roads and turnpikes, passed May 8, 1873,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Sisson introduced a bill entitled "An act to provide for the equitable appraisal of canal claims against the State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Hayes introduced a bill entitled "An act relative to certain improvements in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill entitled "An act to authorize the appointment of a commission to investigate the condition of the hospitals, asylums and other places where the insane are confined, and the fitness and efficiency of the State Commissioner in Lunacy and to make an appropriation therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Tully introduced a bill entitled "An act to amend chapter 363 of the Laws of 1878, entitled 'An act in relation to the re-grading and paving of Grand street from Union avenue to Bushwick avenue in the city of Brooklyn, with Belgian pavement,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Tormey introduced a bill entitled "An act to amend an act entitled 'An act in relation to wills, passed April 23, 1864,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill entitled "An act to amend chapter 511 of the Laws of 1879, passed June 16, 1879, entitled 'An act additional to chapter 320 of the Laws of 1872, entitled 'An act to amend an act relating to the rates of wharfage, and to regulate piers, wharves, bulk-heads and slips, in the cities of New York and Brooklyn, passed May 6, 1870,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Varnum introduced a bill entitled "An act relating to fees, percentages and allowances of public officers a burden upon and a charge against the various cities of the State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill entitled "An act restricting and defining the powers of the board of estimate and apportionment in the city of New York, and regulating the expenditures of the amounts appropriated by said board," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Bennett introduced a bill entitled "An act providing for the appointment of marshals in the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act relative to janitors in district courts in the city of New York."

"An act to authorize the appointment of counselors at law as notaries public."

"An act explanatory of the act entitled 'An act to amend title 3, chapter 4 of part 2 of the Revised Statutes, entitled 'Of the interest of money,' passed June 20, 1879."

"An act to repeal chapter 402 of the Laws of 1878, entitled 'An act to authorize the county clerk of Kings county to arrange, assort and repair all judgments, decrees, orders and other papers filed or deposited in Kings county clerk's office, and to record and certify mutilated or injured writings affecting the title to real estate in said county, and providing compensation for his services in that respect."

"An act to confirm and legalize the acts of the commissioner of highways of the town of Boonville, in building a bridge across Black river near Crandall's mill, in 1879, and to confirm and legalize the acts of the town auditors of said town in auditing the bills for the expense thereof."

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Husted (introductory No. 254), entitled "An act to authorize the State Comptroller to dispose of United States securities held by him for various trust funds, and to reinvest the proceeds from sales of said securities," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Slingerland (introductory No. 100), entitled "An act to promote honest elections," reported said bill for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Husted (introductory No. 85), entitled "An act to amend chapter 590 of the Laws of 1865, entitled 'An act to incorporate the Porous Plaster Company of the city of New York,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Travis (introductory No. 234), entitled "An act to amend an act entitled 'An act to incorporate the public exchange,' passed May 22, 1868," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Varnum (introductory No. 45), entitled "An act to amend an act entitled 'An act in relation to the acknowledgment by married women of deeds and other written instruments,' passed May 5, 1879," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Clark (introductory No. 239), entitled "An act to incorporate the James Prendergast Library Association, of Jamestown, N. Y.," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Clark, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof, as follows:

{ AYES 101 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Costello	Hurd	Shanley
Andrews	Crafts	Husted	Sheridan
Ash	Crapser	Ingersoll	Sherman
Baker, C. S.	Cullinan	Kennedy	Shuit
Beach	Cushing	Lefever	Sipp
Beates	Davis	Lindsay	Sisson
Benedict, E. D.	Deane	McAvoy	Skinner
Benedict, T. E.	Dougherty	McCabe	Slingerland
Bennett	Douglass	McCarthy	Terpeny
Bradley	Duell	McDonald	Terry
Brennan	Duguid	Mead	Thilemann
Brodsky	Ellis	Miller	Titus
Bullock	Evans	Mitchell	Tormey
Carpenter, E. A.	Fish	Moors	Travis
Carpenter, I. S.	Fiske	Newman	Treanor



Case	Gibbs	Nowlan	Tully
Catlin	Gillette	O'Connor	Tuthill, H. H.
Chamberlain	Gorsline	Parker	Tuttle, R. M.
Chase	Gray	Phillips	Van Valkenburgh
Chickering	Grosse	Potter	Varnum
Clancy	Gwinup	Potts	Waterbury
Clark	Hagan	Rhodes	Wiley
Clowes	Havens	Russell	Wren
Comstock	Hayes	Sanders	Youngs
Congdon	Hoffman	Seeley	Mr. Speaker
Cookinham			

Those who voted in the negative, were

Peck                      Steele

Mr. Alvord moved to reconsider the vote by which said bill was passed and that the motion lay upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 3), entitled "An act to amend the law of evidence and practice on civil and criminal trials," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry moved to recommit said bill to the committee on the judiciary.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Dougherty (introductory No. 135), entitled "An act to amend chapter 50 of the Laws of 1824, entitled 'An act relating to hackney coaches and carriages in the city of New York,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Roberts (introductory No. 32), entitled "An act in relation to the public buildings and grounds belonging to Erie county and the city of Buffalo," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Mitchell (introductory No. 87), entitled "An act to provide for cleaning the streets in the city of New York," reported the same for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Varnum (introductory No. 96), entitled "An act to provide for cleaning the streets of the city of New York, the collection of the ashes, garbage and street sweepings of the city, and the disposition of the materials," reported the same for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum moved to discharge the committee on affairs of cities from the further consideration of the bill entitled "An act to exempt

charitable institutions from the payment of water tax rent," and that said bill be referred to the committee on ways and means.

Mr. Baker, from the committee on insurance, to which was referred the bill introduced by Mr. C. S. Baker (introductory No. 209), entitled "An act to regulate the examinations and reports of fire and fire and inland navigation insurance companies," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Baker, from the committee on insurance, to which was referred the bill introduced by Mr. C. S. Baker (introductory No. 189), entitled "An act to further amend chapter 463 of the Laws of 1853, entitled 'An act for the incorporation of life and health insurance companies and in relation to agencies of such companies,'" report in favor of the accompanying substitute therefor, entitled "An act to regulate the depositing of securities by insurance companies with the Superintendent of the Insurance Department," which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Cookinham (introductory No. 25), entitled "An act to enforce collection of taxes levied in the county of Oneida," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Bradley (introductory No. 132), entitled "An act to provide for appeals from the audit of bills by the boards of town auditors in certain cases," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Cookinham (introductory No. 129), entitled "An act to create a board of equalization in the county of Oneida," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Alvord (introductory No. 248), entitled "An act to make the office of supervisor in the county of Onondaga a salaried office, and to provide for the appointment and compensation of other officers of said board," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Low (introductory No. 227), entitled "An act conferring additional powers upon the board of supervisors of the county of Niagara relative to expenses for the support of the poor," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Warner, from the committee on trade and manufactures, to which was referred the bill introduced by Mr. Grosse (introductory No. 145), entitled "An act to improve the public health in the city of New York and the city of Brooklyn, by regulating the manufacturing of cigars in the tenement houses of said cities," recommended said bill to the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

Mr. Warner, from the committee on trade and manufactures, to which was referred the bill introduced by Mr. J. L. Wells (introductory No. 192), entitled "An act to amend chapter 290 of the Laws of 1879, entitled 'An act to amend chapter 149 of the Laws of 1874, entitled 'An act to amend an act passed April 27, 1872, entitled 'An act to amend chapter 657 of the Laws of 1871, entitled 'An act to amend an act passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed April 20, 1871," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Treanor introduced a bill entitled "An act to amend an act entitled 'An act explaining, defining and regulating the effect and application of and otherwise relating to the act passed at this session of the Legislature, entitled 'An act relating to courts, officers of justice and civil proceedings,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Chase introduced a bill entitled "An act to further amend the charter of the village of Cooperstown in the county of Otsego," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Duell called from the table a resolution previously offered by him in the words following:

*Resolved*, That the clerk of the city and county of New York be instructed to report to this House, within ten days, the names of all referees and receivers appointed in any action or proceeding in the Supreme Court in and for the county of New York during the year 1879, together with the names of the judges making the appointments, and so far as he may be able, the compensation received by such referees and receivers.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Potter offered for the consideration of the House a resolution in the words following:

*Resolved*, That the Auditor of the Canal Department be requested to report to this House, within five days, the amount of money paid from the repair appropriation, since the first day of October, 1879, on drafts drawn by the Superintendent of Public Works and the section superintendents; also the payments for the corresponding period in 1878.

Said resolution giving rise to debate,

*Ordered*, That the same be laid upon the table.

Mr. Hayes moved that the use of the Assembly Chamber be granted to the State Medical Society for Wednesday evening, February 4, 1880.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker presented a communication from the Comptroller, in reference to a resolution of the Assembly relative to State printing; which was laid on the table and ordered printed.

(See Doc. No. 45.)

The Senate sent for concurrence the bills entitled as follows :

"An act entitled 'An act to authorize the president and secretary of any railroad company to issue certificates of stock in certain cases after a foreclosure and sale of the property and franchises of the corporation,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to incorporate the fire department of the village of Medina," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Alvord moved to take from the table the motion to reconsider the vote by which the bill entitled "An act to incorporate the James Prendergrast Library Association, of Jamestown, N. Y.," was passed.

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, as follows :

{ AYES 89 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Howland	Sheridan
Andrews	Cookinham	Hurd	Sherman
Ash	Costello	Husted	Shuit
Baker, B. F.	Crafts	Hynes	Sisson
Baker, C. S.	Crapser	Ingersoll	Skinner
Beach	Cushing	Kennedy	Slingerland
Beates	Davis	Lindsay	Steele
Benedict, E. D.	Dougherty	McAvoy	Terpeny
Bennett]	Douglass	Miller	Terry
Bradley	Duell	Mooers	Thilemann
Brennan	Duguid	Morgan	Titus
Brodsky	Ellis	Newman	Tormey
Bullock	Evans	O'Connor	Travis
Carpenter, E. A.	Fish	Parker	Treanor
Carpenter, I. S.	Fiske	Phillips	Tully
Catlin	Gibbs	Potts	Tuthill, H. H.
Chamberlain	Gillette	Rhodes	Tuttle, R. M.
Chickering	Gray	Roberts	Van Valkenburgh
Childs	Griggs	Root	Varnum
Clark	Grosse	Russell	Weston
Clowes	Hayes	Sanders	Wren
Cohen	Hoffman	Shanley	Mr. Speaker
Comstock			

On motion of Mr. Alvord, and by unanimous consent, said bill was amended in words following :

Section 9, line 3, written bill, after the word "from," insert the word "local."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof, as follows :

{ AYES 96 }  
 { NOES 3 }

Those who voted in the affirmative, were

Alvord	Congdon	Hurd	Sherman
Andrews	Cookinham	Husted	Shuit
Ash	Costello	Hynes	Sisson
Baker, B. F.	Crafts	Ingersoll	Slingerland
Baker, C. S.	Cullinan	Kennedy	Steele
Beach	Cushing	Lindsay	Tallmadge
Beates	Davis	McAvoy	Terry
Benedict, E. D.	Deane	McCabe	Thilemann
Benedict, T. E.	Dougherty	McCarthy	Titus
Bennett	Douglass	Mitchell	Travis
Bradley	Duell	Mooers	Treanor
Brennan	Ellis	Morgan	Tully
Brodsky	Evans	Newman	Tuthill, H. H.
Bullock	Fish	O'Connor	Tuttle, R. M.
Carpenter, E. A.	Fiske	Parker	Van Valkenburgh
Carpenter, I. S.	Gibbs	Phillips	Varnum
Case	Gorsline	Potter	Walsh
Catlin	Gray	Potts	Waterbury
Chickering	Grosse	Rhodes	Wells, J. L.
Childs	Gwinup	Roberts	Weston
Clark	Hagan	Russell	Wiley
Clowes	Hayes	Sanders	Wren
Cohen	Hoffman	Seeley	Youngs
Comstock	Howland	Sheridan	Mr. Speaker

Those who voted in the negative, were

Chamberlain	Crapeer	Skinner
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*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act relative to janitors in the district courts in the city of New York," having been announced for a third reading,

Mr. Mitchell moved to recommit said bill to the committee on the judiciary, with instructions to amend said bill in the words following, and said committee to report forthwith:

SECTION 1. The justice of each district court in the city of New York is hereby authorized and empowered to appoint one janitor for the building in which "such court is held, and such janitor shall hold office during the pleasure of and be subject to the direction of such justice.

"The board of estimate and apportionment of said city is hereby authorized and directed to make provision for the compensation of such janitors, who shall be paid the salaries heretofore fixed and determined by law.

"Nothing in this act contained shall in any manner annul, restrict, or affect the powers heretofore granted the department of public works of said city, or the commissioner thereof, concerning the control or care of public buildings, or be deemed to authorize the appointment or payment of more than one janitor for any public building in which a district court is held."

Mr. Cohen moved to further instruct said committee to insert after section 1:

"On and after the first day of January, 1882."

Mr. Varnum moved to lay the amendments with the bill on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill entitled "An act to authorize the appointment of counselors at law as notaries public," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 73 }  
{ NOES 15 }

Those who voted in the affirmative, were

Andrews	Costello	Lefever	Shanley
Ash	Crafts	Lindsay	Sheridan
Baker, B. F.	Crapser	McCabe	Sipp
Baker, C. S.	Cullinan	McCarthy	Skinner
Benedict, E. D.	Douglass	McDonald	Steele
Bennett	Duguid	Miller	Strait
Bradley	Ellis	Mitchell	Tallmadge
Brennan	Evans	Moore	Terry
Brodsky	Fiske	Morgan	Thilemann
Bullock	Gorsline	Newman	Tormey
Carpenter, E. A.	Gray	Parker	Tozier
Carpenter, I. S.	Griggs	Peck	Travis
Catlin	Grosse	Phillips	Treanor
Chamberlain	Gwinup	Potter	Tully
Clowes	Hayes	Potts	Tuttle, R. M.
Cohen	Hoffman	Rhodes	Wells, J. L.
Comstock	Hurd	Russell	Wren
Congdon	Hynes	Seeley	Youngs
Cookinham			

Those who voted in the negative, were

Alvord	Clancy	Gillette	Slingerland
Benedict, T. E.	Cushing	Havens	Van Valkenburgh
Case	Davis	McAvoy	Walsh
Childs	Dougherty	Nowlan	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Weston offered for the consideration of the House a resolution in the words following:

*Resolved*, That the bill entitled "An act to improve the public health in the city of New York and the city of Brooklyn by regulating the manufacture of cigars in the tenement houses in said cities," be recommended to the committee on trade and manufactures, when printed.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The bill entitled "An act explanatory of the act entitled 'An act to amend title 3, chapter 4 of part 2 of the Revised Statutes, entitled 'Of the interest of money,' passed June 20, 1879,'" having been amended for a third reading,

Mr. Alvord moved to recommit said bill to the committee on banks, retaining its place on order of third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill entitled "An act to confirm and legalize the acts of the commissioner of highways of the town of Boonville, in building a bridge across Black river near Crandall's mill, in 1879, and to confirm and legalize the acts of the town auditors of said town in auditing the bills for the expense thereof," was read a third time:

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 102 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapsr	Hurd	Sherman
Andrews	Cullinan	Ingersoll	Shuit
Ash	Cushing	Kennedy	Sipp
Baker, B. F.	Davis	Lindsay	Skinner
Baker, C. S.	Deane	McAvoy	Slingerland
Beach	Dougherty	McCabe	Steele
Beates	Douglass	McCarthy	Strait
Benedict, T. E.	Duell	McDonald	Tallmadge
Bennett	Duguid	Mead	Terpeny
Bradley	Ellis	Miller	Terry
Brennan	Evans	Mitchell	Thilemann
Brodsky	Ferris	Moors	Titus
Bullock	Fish	Morgan	Torney
Carpenter, E. A.	Fiske	Newman	Treanor
Carpenter, I. S.	Gibbs	Nowlan	Tully
Catlin	Gillette	Parker	Tuthill, H. H.
Chamberlain	Gorsline	Phillips	Tuttle, R. M.
Chase	Gray	Potter	Van Valkenburgh
Chickering	Griggs	Potts	Varnum
Childs	Grosse	Roberts	Wells, D. A.
Clancy	Gwinup	Root	Wells, J. L.
Clowes	Hagan	Russell	Weston
Cohen	Havens	Sanders	Wiley
Congdon	Hayes	Shanley	Wren
Cookinham	Hoffman	Sheridan	Youngs
Costello	Howland		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence the bill entitled as follows:

"An act to amend section 2 of chapter 22 of the Laws of 1858, entitled 'An act to enable the electors of the town of Watervliet to vote by districts for the election of town officers,' as amended by section 1 of chapter 259 of the Laws of 1879," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

The bill entitled "An act to repeal chapter 402 of the Laws of 1878, entitled 'An act to authorize the county clerk of Kings county to arrange, assort and repair all judgments, decrees, orders and other

papers filed or deposited in Kings county clerk's office, and to record and certify mutilated or injured writings affecting the title to real estate in said county, and providing compensation for his services in that respect," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present,

{ AYES 86 }  
{ NOES 21 }

Those who voted in the affirmative, were

Alvord	Comstock	Gwinup	Russell
Andrews	Congdon	Hayes	Sanders
Ash	Cookinham	Hoffman	Seeley
Baker, B. F.	Costello	Howland	Sherman
Baker, C. S.	Crapser	Hurd	Shuit
Beach	Cullinan	Husted	Sipp
Beates	Cushing	Ingersoll	Skinner
Benedict, E. D.	Davis	Kennedy	Slingerland
Benedict, T. E.	Deane	Lefever	Steele
Bennett	Douglass	Lindsay	Tallmadge
Bradley	Duell	McCabe	Terpeny
Brennan	Duguid	Miller	Terry
Brodsky	Ellis	Mitchell	Titus
Bullock	Evans	Mooers	Travis
Carpenter, E. A.	Ferrie	Morgan	Tuthill, H. H.
Carpenter, I. S.	Fish	Nowlan	Tuttle, R. M.
Case	Fiske	Phillips	Van Valkenburgh
Chamberlain	Gillette	Potter	Varnum
Chase	Gorsline	Potts	Waterbury
Chickering	Gray	Roberts	Wren
Childs	Griggs	Root	Youngs
Clowes	Grosse		

Those who voted in the negative, were

Catlin	Havens	McTernan	Thilemann
Clancy	Hynes	Newman	Tormey
Cohen	McAvoy	Parker	Treanor
Dougherty	McCarthy	Rhodes	Tully
Gibbs	McDonald	Shanley	Wiley
Hagan			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act in relation to the partition of lands held by husband and wife as joint tenants, tenants in common, or as tenants by entireties."

"An act to amend section 7 of chapter 591, Laws of 1870, entitled

'An act in relation to the custody and disposition of the moneys arising from the sale of the plain or common lands of the town of Hempstead, Queens-county, New York,' passed May 3, 1870."

"An act to enable married women to testify in certain cases of criminal prosecution against their husbands."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Wiley, from said committee, reported in favor of the passage



of the first named bill, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Wiley, from said committee, also reported in favor of the passage of the second and last named bills, with amendments, which report was agreed to and the same ordered engrossed for a third reading.

On motion of Mr. Husted, and at 1 o'clock and 30 minutes, the House adjourned.

## THURSDAY MORNING, JANUARY 29, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Clarke.

The journal of yesterday was read and approved.

The Senate sent for concurrence the resolution in the words following:

*Resolved* (if the Assembly concur), That there be printed 3,000 extra copies of the annual report of the Trustees of the Willard Asylum, for the use of the trustees, and 500 extra copies for the use of the Legislature.

*Ordered*, That the same be laid upon the table.

*Resolved* (if the Assembly concur), That 500 extra copies of the annual report of the Trustees of the Astor Library be printed for the use of the trustees with paper covers.

*Ordered*, That the same be laid upon the table.

*Resolved* (if the Assembly concur), That 1,500 extra copies of the annual report of the New York State Soldiers and Sailors' Home, be printed for the use of the trustees with paper covers.

*Ordered*, That the same be laid upon the table.

*Resolved* (if the Assembly concur), That 2,000 extra copies of the First Annual Report of the Trustees of the Binghamton Asylum for the Insane be printed for the use of the Legislature and for the trustees of the asylum.

*Ordered*, That the same be laid upon the table.

The Senate returned the Assembly resolution which referred to the printing of 15,000 copies of the Governor's Message, with a message that they have passed the same with the following amendment:

*Resolved* (if the Assembly concur), That 3,000 extra copies of the Governor's Message be printed with paper covers for the use of the Legislature and 1,000 copies for the use of the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, as amended, and it was determined in the affirmative.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act in relation to the partition of lands held by husband and wife as joint tenants, tenants in common, or as tenants by entireties."

"An act to amend section 7 of chapter 591, Laws of 1870, entitled 'An act in relation to the custody and disposition of the moneys arising from the sale of the plain or common lands of the town of Hempstead, Queens county, New York.'"

"An act to enable married women to testify in certain cases of criminal prosecution against their husbands."

Privilege of the floor was granted to Hon. Fred. A. Conkling, Hon. John Banfield, and Hon. Mr. Wheeler, former members of this House."

Leave of absence was granted to Mr. Russell until Tuesday next.

Mr. Hayes presented the report of the New York Catholic Protector, which was laid on the table and ordered printed.

(See Doc. No. .)

The Senate sent for concurrence the bills entitled as follows:

"An act to authorize the Attica Water Company to purchase, hold, operate and maintain the gas works, pipes, fixtures, machinery and real estate used in connection therewith, now in the village of Attica, Wyoming county, New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

"An act to authorize the common council of the city of Lockport to raise by tax and disburse money in providing a system of fire alarm for said city of Lockport," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Van Valkenburgh offered for the consideration of the House a resolution in the words following:

*Resolved*, That Senate bill No. 33 to authorize the common council of the city of Lockport to raise by tax and disburse money in providing a system of fire alarm for said city of Lockport, be substituted for Assembly bill No. 34, G. O. No. 33 on the same subject.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate sent for concurrence the bills entitled as follows:

"An act to exempt the county of Orange from the provisions and requirements of chapter 280 of the Laws of 1845, entitled 'An act for the publication of the session laws in two newspapers in each county of this State,' and of the several acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

"An act conferring additional powers on the board of education of union free school district No. 1, of the town of Deerpark, Orange county, and granting additional privileges to said district," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

"An act to amend chapter 446 of the Laws of 1874, entitled 'An act to revise and consolidate the statutes of the State relating to the care and custody of the insane, the management of the asylums for their treatment and safe-keeping, and the duties of the State commissioner in lunacy,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State charitable institutions.

"An act to amend the Code of Civil Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act authorizing the trustees of the "Pine Ridge Cemetery Association of Sennett" to grant and convey to the city of Auburn certain lands for a public cemetery," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to establish the compensation of the county judge and judge and surrogate of the county of Orange," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the city of Auburn to take by gift, grant or devise lands in the town of Sennett for a public cemetery, and to provide for the care, management and protection of the same," which was read the first time, and by unanimous consent was also read the second time, and referred so the committee on State charitable institutions.

This being the day assigned under the rule for the consideration of general orders,

The House resolved itself into committee of the whole on the bills entitled as follows:

"An act to amend chapter 431 of the Laws of 1875, entitled 'An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof.'"

"An act to amend chapter 277 of the Laws of 1868, entitled 'An act to amend an act entitled 'An act to provide for the incorporation of villages,' passed December 7, 1847,' and the several acts amending the same, so far as relates to the village of Baldwinsville, Onondaga county.'"

"An act to amend an act entitled 'An act to revise and consolidate the general acts relating to public education,' passed May 2, 1864."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Hurd, from said committee, reported in favor of the passage of said bills, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

The House again resolved itself into a committee of the whole on the bill entitled as follows:

"An act to release all that part of the waters of Lake Ontario, together with its bays and inlets in the county of Jefferson, saving and excepting Henderson harbor and bay, from the operation of the provisions of sections 23 and 26 of chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game.'"

"An act to amend chapter 353 of the Laws of 1878, entitled 'An act in relation to the term of office of the clerk and assistant clerk of the board of supervisors of Kings county, and of the engineers of the county court-house in said county.'"

Senate, "An act to authorize the common council of the city of Lockport to raise by tax or disburse money in providing a system of fire alarm for said city of Lockport."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Peck, from said committee, reported in favor of the passage of said bills, which report was agreed to, and the same ordered engrossed for a third reading.

Messrs. Baker and Bixby, a committee from the Senate, appeared before the bar of the House, and stated that the Senate had elected Hon. W. H. Robertson, of the 12th district, as President pro tem of the Senate.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act making an appropriation to carry out the provisions of

chapter 134 of the Laws of 1878, and chapter 306 of the Laws of 1879, entitled respectively 'An act in relation to infectious and contagious diseases of animals' and to provide for liquidating and discharging all obligations incurred thereunder by the agents of the State."

"An act for the improvement of the Hudson river and to make an appropriation therefor."

"An act making an appropriation to pay the expense of the publication of the concurrent resolutions proposing amendments to the constitution, under the direction of the Secretary of State in 1879."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Youngs, from said committee, reported in favor of the passage of said bills, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Hayes in the chair.

Mr. Slingerland (by request) introduced a bill entitled "An act to repeal chapter 564 of the Laws of 1869, entitled, 'An act authorizing additional tolls to be collected on plank roads in the county of Albany,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Morgan (by request) introduced a bill entitled "An act to authorize the Treasurer of the State of New York to indorse and deliver to Hugh M. Severane, two certificates of deposit of five hundred dollars each to the First National Bank of Angelica," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Roberts introduced a bill entitled "An act making appropriations for replacing the uniforms and equipments belonging to the 65th Regiment, National Guard, which were injured and destroyed at Buffalo, July 1877," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Hurd introduced a bill entitled "An act to authorize trustees of religious corporations to arrest persons disturbing religious meetings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Lindsay introduced a bill entitled "An act to authorize the construction of a bridge over Newtown creek, also, a temporary bridge and to transfer the charge and jurisdiction of said bridge from Long Island City, and to confer the same upon the county of Queens," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Seeley introduced a bill entitled "An act for the relief of policy holders in life insurance companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Root introduced a bill entitled "An act to authorize the construction of a bridge over the Erie canal at Brockport, Monroe county, New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Duell introduced a bill entitled "An act relating to referees, receivers, auditors and other officers appointed by the court within the

counties of New York and Kings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Cushing introduced a bill entitled "An act to amend chapter 35 of the Laws of 1878, entitled 'An act granting free passage through toll gates and over toll bridges and ferries to the National Guard,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on militia.

Mr. McCarthy introduced a bill entitled "An act to extend the definition of the crime of perjury and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Also, the bill entitled "An act relating to the public schools of the city of New York and to those employed therein as teachers or instructors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Mitchell introduced a bill entitled "An act to amend section 51, of article 4, of chapter 8, of title 1, of part 2, of the Revised Statutes, entitled 'Of separation or limited divorce,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Douglass introduced a bill entitled "An act entitled 'An act to amend chapter 581 of the Laws of 1867,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Husted introduced a bill entitled "An act to amend an act entitled 'An act relating to courts, officers of justice and civil proceedings, passed June 2, 1876,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Evans introduced a bill entitled "An act in relation to the county treasurers in the counties of Monroe and Seneca," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. E. A. Carpenter introduced a bill entitled "An act to amend an act entitled 'An act to amend the Revised Statutes in relation to summary proceedings to recover possessions of land, passed April 13, '," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Bradley introduced a bill entitled "An act for the attachment of personal property by process of garnishment," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Travis introduced a bill entitled "An act to amend chapter 436 of the Laws of 1877 entitled 'An act in relation to the county treasurer,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Hayes introduced a bill entitled "An act to establish a State board of health," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means, accompanied by a petition on the same subject.

Mr. Bradley, from the committee on general laws, to which was referred the bill introduced by Mr. Lindsay (introductory No. 207), entitled "An act to amend subdivision 1 of section 9 of article 2, title 4, chapter 6, part 1 of the Revised Statutes, in relation to elections and ballots," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Bradley, from the committee on general laws, to which was referred the bill introduced by Mr. Wren (introductory No. 127), entitled "An act to ascertain the citizens of the various towns of Kings county who shall be entitled to the rights of suffrage therein," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Bradley, from the committee on general laws, to which was referred the bill introduced by Mr. Youngs (introductory No. 106), entitled "An act to limit and define the powers of the boards of supervisors of the various counties of this State in regard to authorizing town officers to borrow money on the credits of the towns," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Skinner, from the committee on railroads, to which was referred the bill introduced by Mr. Alvord (introductory No. 41), entitled "An act to extend the charter of the Central City Railway, organized under and in pursuance of chapter 483, Laws of 1859," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Skinner, from the committee on railroads, to which was referred the bill introduced by Mr. Duguid (introductory No. 144), entitled "An act for the better protection of the traveling public," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Skinner, from the committee on railroads, to which was referred the bill introduced by Mr. Clancy (introductory No. 103), entitled "An act to provide compensation to property owners for damages occasioned by the construction, operation, or use of elevated railroads within this State containing over three hundred thousand inhabitants," reported for the consideration of the House.

Mr. Skinner moved that said bill be recommitted to the committee on railroads, when printed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Skinner, from the committee on railroads, to which was referred the bill introduced by Mr. Sheridan (introductory No. 170), entitled "An act in relation to compensation to be made for damages caused by the construction and operation of elevated railways in the city of Brooklyn," reported for the consideration of the House.

Mr. Skinner moved that said bill be recommitted to the committee on railways, when printed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Skinner, from the committee on railroads, to which was referred the bill introduced by Mr. Congdon (introductory No. 148), entitled

"An act regulating and equalizing the rates for transportation of property in this State," reported for the consideration of the House.

Mr. Skinner moved that said bill be recommitted to the committee on railroads, when printed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Skinner, from the committee on railroads, to which was referred the Senate bill (introductory No. 11), entitled "An act to authorize the president, treasurer and secretary of any railroad company to issue certificates of stock in certain cases after a foreclosure and sale of the property and franchises of the corporation," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Skinner, and by unanimous consent, the committee of the whole was discharged from the further consideration of said bill, and said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 94 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Lefever	Shanley
Baker, C. S.	Cushing	Lindsay	Sheridan
Beach	Davis	McAvoy	Sherman
Beates	Deane	McCabe	Shuit
Benedict, E. D.	Dougherty	McCarthy	Sipp
Benedict, T. E.	Douglass	McDonald	Sisson
Bradley	Duell	Mead	Skinner
Brennan	Duguid	Miller	Sfingerland
Brodsky	Evans	Mitchell	Steele
Bullock	Ferris	Mooers	Strait
Carpenter, E. A.	Fish	Morgan	Tallmadge
Carpenter, I. S.	Gibbs	Newman	Terpeniy
Case	Gorsline	Nowlan	Terry
Catlin	Gray	Parker	Thilemann
Chamberlain	Griggs	Peck	Tormey
Chase	Gwinup	Phillips	Travis
Childs	Havens	Potter	Tully
Clark	Hayes	Potts	Tuttle, R. M.
Clowes	Hoffman	Rhodes	Van Valkenburgh
Cohen	Howland	Roberts	Varnum
Congdon	Hurd	Root	Waterbury
Cookinham	Husted	Sanders	Wiley
Crafts	Hynes	Seeley	Wren
Crapser	Kennedy		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Van Valkenburgh, from the committee on banks, to which was recommitted the bill introduced by Mr. Alvord (introductory No. 1), entitled "An act explanatory of the act entitled 'An act to amend title 3, chapter 4, of part 2 of the Revised Statutes, entitled 'Of the interest of money,' passed June 20, 1879," reported back to the As-

sembly without amendment, retaining its place on order of third reading, which report was agreed to.

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Potter (introductory No. 5), entitled "An act to authorize the sale of lands in the town and village of Saratoga Springs, for unpaid State, county and municipal taxes, including water rates and special assessments," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was referred the Senate bill (introductory No. 9), entitled "An act to incorporate the fire department of the village of Medina," reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Beates presented a petition for the division of the town of Tompkins and the erection of a new town, which was read and referred to the committee on civil division.

Mr. Alvord presented a petition for compensation to the survivors of the 1st N. Y. State Volunteers.

*Ordered*, That said communication be referred to the committee on ways and means.

Mr. Speaker presented a communication from the Secretary of State in response to a resolution of the Assembly relative to the newspapers publishing the concurrent resolutions.

*Ordered*, That said communication be referred to the committee on ways and means.

Mr. McCarthy offered for the consideration of the House a resolution in the words following :

*Whereas*, The present system of letting and farming out the labor of convicts and others confined in the public prisons in the State of New York to contractors has resulted in serious injury to honest laborers, artisans and mechanics, by bringing into unfair and unjust competition with them the labor of such convicts and others confined in said prisons; and,

*Whereas*, It is the duty of the State to foster, encourage and protect honest labor; therefore,

*Resolved*, That a committee of five members of this House be appointed to prepare and report within 20 days a bill to abolish said convict-labor contract system, and to correct and provide against the evils resulting therefrom, and to make proper and suitable provision for such employment of convicts and others confined in the public prisons of this State, as shall not compete with honest labor. Said committee being empowered to make such investigation as may be necessary for the preparation of such bill with full power to send for persons and papers.

Said resolution giving rise to debate,

*Ordered*, That the same be laid upon the table.

Mr. Steele offered for the consideration of the House a resolution in the words following :

*Resolved* (if the Senate concur), That a special joint committee be constituted, to consist of three members of the Senate, to be appointed by the Lieutenant-Governor, and five members of the Assembly, to be appointed by the Speaker, to consider the matter of a



revision of the tax laws of this State, and of amendments thereto; also, the best method of taxation; such committee to report at as early a day as practicable in the present session.

*Ordered*, That the same be laid on the table.

Mr. Grosse offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee on general laws be discharged from the further consideration of Assembly bill No. 53, entitled "An act to establish a bureau of labor statistics for the State of New York," and that the same be referred to the committee on ways and means.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Ash offered for the consideration of the House a resolution in the words following:

*Whereas*, The State of New York is interested in common with other States bordering upon the great lakes in the early completion of certain improvements now in progress affecting their commerce; and

*Whereas*, Owing to the delay in the completion of these works, and especially the improvement of the channel between Lake Superior and Lake Huron, and of the Lime Kiln crossing near the mouth of the Detroit river, the interchange of our products with the north-west is now subject to great and needless disability and expense,

*Whereas*, The consequences of this fall upon our whole people in the single particular of the iron products of Lake Superior to the extent of nearly one million of dollars annually; and

*Whereas*, By adequate appropriations therefor the completion of the lock and canal at Sault St. Marie and the improvement of the St. Marie river and the Lime Kiln crossing, can be completed to sixteen feet of water during the year 1881; therefore

*Resolved* (if the Senate concur), That it is the sense of the Legislature of the State of New York, that an urgent commercial necessity exists for the earliest possible completion of these improvements, and the Senators and Representatives in Congress from the State of New York are hereby requested to use all proper means to secure this important result.

*Resolved*, That a certified copy of these resolutions be forwarded to each of said Senators and Representatives.

*Ordered*, That the same be laid upon the table.

Mr. Wren offered for the consideration of the House a resolution in the words following:

*Whereas*, Thirteen million dollars has already been expended upon the construction of the East River Bridge, and grave doubts and suspicions are entertained as to the stability of the structure; therefore be it,

*Resolved* (if the Senate concur), That the Governor be empowered to appoint three expert engineers to examine into and report upon the condition of the New York and Brooklyn Bridge, whether the Structure so far as now built will prove durable and safe, and whether it would not prove to the benefit of the counties of New York and Brooklyn, that another board of trustees and officers should be provided for by this Legislature.

*Resolved*, That such committee of three expert engineers shall report the result of its inquiries and examination on or before March 1, 1880.

*Ordered*, That the same be laid upon the table.

Mr. Hagan offered for the consideration of the House a resolution in the words following:

*Whereas*, An organized system of the most dangerous kind of gambling in grain has grown up in the city of New York, by which sixteen millions of bushels of wheat are now locked up in the city of Chicago, causing widespread alarm among the mercantile and commercial interest of our State, and the greatest distress among the poorer classes of our people, by greatly enhancing the price of food; and

*Whereas*, It becomes the duty of the Legislature, under the circumstances, to come to the rescue of the people in this, their hour of need, and exert every possible effort to protect them against a system of gambling, by which the bread is taken from the mouths of the poorer classes of our people in order to enrich a few heartless and unscrupulous gamblers; therefore

*Resolved*, That the judiciary committee be and they are hereby requested to at once take into consideration the subject-matter of this preamble, and to report as soon as possible to this House, either by bill or otherwise, some suitable and efficient remedy for the evils named.

Said resolution giving rise to debate,

*Ordered*, That the same be laid upon the table.

Mr. Wiley moved to take from the table a resolution previously offered by him in the words following:

*Whereas*, The price for nearly all of life's necessities has very materially advanced beyond the ratio of wages paid the mechanics and laborers heretofore and again to be employed upon the new capitol; and,

*Whereas*, At least one-half of those so employed have families depending upon them for support; and,

*Whereas*, It has become almost an utter impossibility for these said mechanics and laborers to supply the ordinary comforts of life to any reasonable degree for themselves and families with the wages heretofore paid; Therefore, be it

*Resolved*, That this body (if the Senate concur) do hereby recommend that the Hon. Commissioners having this work in charge shall advance on and after the first of February next, the wages of all employees under them at such ratio as they may regard for the best interests of, and relief of said employees.

Mr. Crapser moved that this House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Alvord moved that said resolution do lay upon the table.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members present voting in favor thereof.

{ AYES 53 }  
{ NOES 51 }

Those who voted in the affirmative, were

Alvord	Clowes	Hoffman	Roberts
Ash	Comstock	Howland	Root
Baker, C. S.	Congdon	Hurd	Sanders
Beach	Cookinham	Husted	Seeley

Beates	Crapser	Lefever	Sherman
Bradley	Davis	Lindsay	Shuit
Carpenter, I. S.	Duell	McCabe	Sisson
Case	Duguid	Mitchell	Skinner
Chamberlain	Evans	Mooers	Steele
Chase	Fish	Morgan	Travis
Chickering	Fiske	Phillips	Tuttle, R. M.
Childs	Gorsline	Potter	Varnum
Clark	Kennedy	Potts	Waterbury
Crafts			

Those who voted in the negative, were

Benedict, E. D.	Dougherty	McAvoy	Slingerland
Benedict, T. E.	Ellis	McCarthy	Strait
Bennett	Ferris	McDonald	Terpeny
Brennan.	Fitzgerald	Mead	Thilemann
Brodsky	Gibbs	Miller	Torney
Bullock	Gray	Newman	Treanor
Carpenter, E. A.	Griggs	Nowlan	Tully
Catlin	Grosse	O'Connor	Van Valkenburgh
Clancy	Gwinup	Parker	Walsh
Cohen	Hagan	Rhodes	Wells, J. L.
Cullinan	Havens	Shanley	Wiley
Cushing	Hayes	Sheridan	Wren
Deane	Hynes	Sipp	

Mr. Husted offered for the consideration of the House a privileged resolution in the words following:

*Resolved*, That hereafter the daily sessions of this House shall close at 2 P. M., unless otherwise ordered.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Evans offered for the consideration of the House a resolution in the words following:

*Resolved*, That introductory bill No. 227, entitled "An act conferring additional powers upon the board of supervisors of the county of Niagara, relative to expenses for the support of the poor," be re-committed to the committee on internal affairs, not retaining its place, on general orders.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate returned the bill entitled "An act to incorporate the James Prendergrast Library Association, of Jamestown, N. Y.," with a message that they have concurred in the passage of the same, without amendment.

*Ordered*, That the Clerk deliver said bill to the Governor.

On motion of Mr. Husted, and at 2 o'clock, the House adjourned.

## FRIDAY MORNING, JANUARY 30, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Clark.

The journal of yesterday was read and approved.

Leave of absence was granted to Mr. Duell.

Privileges of the floor were granted to Hon. A. G. Williams, Hon. Mr. Kearns and Hon. Mr. Morrison, former members of this House.

The Senate sent for concurrence the bills entitled as follows:

"An act to prevent persons holding money, securities or funds, as trustees or otherwise, from mingling the same with their own, and to punish such offense," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, "An act to amend chapter 590 of the Laws of 1865, entitled 'An act to incorporate the Porous Plaster Company of the city of New York,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, "An act to authorize a tax of 34-100 of a mill, per dollar of valuation, to provide for a deficiency in the sinking fund, under article 7, section 3 of the Constitution," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Also, "An act making appropriations for the payment of the principal and interest of the canal debt for the fiscal year commencing on the first day of October, 1880," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Also, "An act to amend chapter 413 of the Laws of 1877, entitled 'An act to prevent frequent changes of text-books in schools,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Roberts introduced a bill entitled "An act permitting persons entitled to an interest in real estate to prosecute proceedings in partition to obtain the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Kennedy introduced a bill entitled "An act to amend section 1, chapter 212 of the Laws of 1879, entitled 'An act to provide for the distribution of the acts passed by the Legislature to town clerk's officers,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Mitchell introduced a bill entitled "An act to limit commitments of children in the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Bradley introduced a bill entitled "An act to amend an act entitled 'An act for the incorporation of villages, passed April 20, 1870,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Steele introduced a bill entitled "An act to prevent frauds against creditors in matters of record," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Senate returned the concurrent resolution relative to printing 3,000 extra copies of the Governor's message, and 1,000 extra copies for the use of the Legislature.

Mr. Speaker presented the Secretary of State Reports on Criminal Statistics for the year ending October 31, 1879, which was laid on the table and ordered printed.

(See Doc. No. 47.)

Also, The annual report of the Eclectic Medical Society of the State of New York, which was laid on the table and ordered printed.

(See Doc. No. 8.)

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Travis (introductory No. 160), entitled "An act to repeal chapter 515 of Laws of 1879, entitled 'An act to amend chapter 625 of Laws of 1875, entitled 'An act in relation to courts of record in the city and county of New York,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Sherman (introductory No. 108), entitled "An act to amend section 1, title 4, chapter 17, part 1 of the Revised Statutes, relating to hawkers and peddlers," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry moved to discharge the committee on the judiciary from the further consideration of the bill entitled "An act to amend an act entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,' passed June 5, 1875," and said bill be referred to the committee on internal affairs.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Varnum (introductory No. 269), entitled "An act to facilitate the foreclosure of mortgages and to reduce the expense thereof," reported for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Terry, and by unanimous consent, said bill was recommitted to the committee on the judiciary, when printed.

Mr. Hurd, from the committee on canals, to which was referred the bill introduced by Mr. Hurd (introductory No. 240), entitled "An act to abolish the use of weigh-locks on the canals," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sherman, from the committee on public education, to which was referred the bill introduced by Mr. D. A. Wells (introductory No. 283), entitled "An act conferring additional powers and duties upon the board of education of school district number four in the village of Johnstown, Fulton county," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sherman, from the committee on public education, to which was referred the bill introduced by Mr. Brennan (introductory No. 249), entitled "An act to amend an act entitled 'An act to revise and consolidate the general acts relating to public instruction,' passed May 2, 1864," reported in favor of the passage of the same, which

report was agreed to and said bill committed to the committee of the whole.

Mr. Sherman, from the committee on public education, to which was referred the bill introduced by Mr. Roberts (introductory No. 255), entitled "An act to amend an act entitled 'An act to consolidate the several school districts in the town of Grand Island, Erie county, and to provide for a board of education therein,' passed April 26, 1879," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sherman, from the committee on public education, to which was referred the bill introduced by Mr. Husted (introductory No. 54), entitled "An act relating to school officers," reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sherman, from the committee on public education, to which was referred the bill introduced by Mr. Sherman (introductory No. 155), entitled "An act to repeal chapter 374 of the Laws of 1876, entitled 'An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general act relating to public instruction,'" reported adversely thereto, accompanied by the following report:

"We the undersigned dissent from the above report and recommend the passage of the same."

JEFFERSON SHERMAN,  
S. A. CHILDS,  
E. S. CRAPSER,  
G. L. G. SEELEY,  
H. C. HOFFMAN."

On motion of Mr. Sherman, and by unanimous consent, said bill was ordered printed.

Said report with minority report was laid on the table.

Mr. Sherman, from the committee on public education, to which was referred the bill introduced by Mr. Clark (introductory No. 27), entitled "An act to amend chapter 34 of the Laws of 1858, entitled 'An act to make school district No. 9 in the town of Pomfret a union free school district,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Sherman said bill was recommitted to the committee on public education, when printed.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. J. L. Wells (introductory No. 51), entitled "An act in relation to the opening of streets, avenues and public parks or places in the city of New York," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Sheridan (introductory No. 62), entitled "An act to amend chapter 863 of the Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn,' passed June 28, 1873," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was

referred the bill introduced by Mr. Varnum (introductory No. 250), entitled "An act to protect Central Park in the city of New York, and the streets bordering upon the same, from encroachment by elevated railroads," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Baker (introductory No. 251), entitled "An act to provide for the improvement and care of private parks in the several cities of this State," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Husted, from the committee on ways and means, to which was referred the Senate bill (introductory No. 74), entitled "An act appropriating moneys for the State prison at Auburn," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Husted, and by unanimous consent, the committee of the whole was discharged from the further consideration of said bill, and the same was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Cullinan	Kennedy	Sherman
Baker, C. S.	Curtis	Lindsay	Sisson
Beach	Cushing	Low	Skinner
Beates	Davis	McCabe	Slingerland
Benedict, E. D.	Deane	McCarthy	Steele
Benedict, T. E.	Douglass	McDonald	Strait
Bennett	Ellis	Mead	Tallmadge
Bradley	Ferris	Miller	Terpeny
Brennan	Fish	Mitchell	Terry
Bridges	Fiske	Mooers	Thilemann
Brodaky	Fitzgerald	Nowlan	Treanor
Bullock	Gibbs	O'Connor	Tully
Carpenter, I. S.	Gorsline	Parker	Tuttle, R. M.
Chamberlain	Gray	Peck	Van Valkenburgh
Chase	Griggs	Phillips	Varnum
Chickering	Grosse	Potter	Walsh
Childs	Gwinup	Potts	Warner
Clowes	Hagan	Rhodes	Wells, D. A.
Cohen	Hoffman	Roberts	Wells, J. L.
Comstock	Howland	Root	Wiley
Congdon	Hurd	Sanders	Wren
Cookinham	Husted	Seeley	Mr. Speaker
Costello	Ingersoll	Shanley	

Those who voted in the negative, were

Crapser                      Havens

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend chapter 431 of the Laws of 1875, entitled 'An

act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof.”

“An act to amend chapter 277 of the Laws of 1868, entitled ‘An act to amend an act entitled ‘An act to provide for the incorporation of villages,’ passed December 7, 1847,’ and the several acts amending the same, so far as relates to the village of Baldwinsville, Onondaga county.’”

“An act to amend an act entitled ‘An act to revise and consolidate the general acts relating to public education, passed May 2, 1864.’”

“An act to release all that part of the waters of Lake Ontario, together with its bays and inlets in the county of Jefferson, saving and excepting Henderson harbor and bay, from the operation of the provisions of sections 23 and 26 of chapter 534 of the Laws of 1879, entitled ‘An act for the preservation of moose, wild deer, birds, fish and other game.’”

“An act to amend chapter 353 of the Laws of 1878, entitled ‘An act in relation to the term of office of the clerk and assistant clerk of the board of supervisors of Kings county, and of the engineers of the county court-house in said county.’”

“An act making an appropriation to carry out the provisions of chapter 134 of the Laws of 1878, and chapter 306 of the Laws of 1879, entitled respectively ‘An act in relation to infectious and contagious diseases of animals,’ and to provide for liquidating and discharging all obligations incurred thereunder by the agents of the State.”

“An act for the improvement of the Hudson river, and to make an appropriation therefor.”

“An act making an appropriation to pay the expense of the publication of the concurrent resolutions proposing amendments to the Constitution, under the direction of the Secretary of State in 1879.”

Mr. Potter called from the table the resolution previously offered by him, in the words following:

*Resolved*, That the Auditor of the Canal Department be requested to report to this House, within five days, the amount of money paid from the repair appropriation since the first day of October, 1879, on drafts drawn by the Superintendent of Public Works and the section superintendents; also, the payments for the corresponding period in 1878.

Mr. Speaker put the question whether the House would agree to the resolution, and it was determined in the affirmative.

Mr. Varnum called from the table the resolution offered by him in the words following:

*Resolved*, That power be granted to the committee on affairs of cities to hold sessions from time to time in the city of New York, or other cities of this State, for the purpose of making inquiries or conducting investigations in relation to municipal affairs, whenever said committee may deem that public business will be facilitated thereby; with further power to send for persons and papers, and when deemed necessary, to employ a stenographer, at a compensation not exceeding fifteen cents per folio.

Mr. Varnum offered the following as a substitute:

*Resolved*, That power be granted to the committee on affairs of cities to hold sessions in the city of New York, from time to time, not exceeding fifteen days in all, for the purpose of making inquiries,



or conducting investigations, as to the best methods for improving the street-cleaning system, and of reducing the burden of municipal taxation, if said committee shall deem that public business will be facilitated thereby, with further power to send for persons and papers, and, when deemed necessary, to employ a stenographer, at a compensation not exceeding 15 cents per folio.

Mr. Shanley moved to amend by inserting after the words "city of New York" the words "and the city of Brooklyn."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Mitchell moved the previous question.

Mr. Speaker put the question "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the substitute offered by Mr. Varnum, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the adoption of said resolution as amended, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present, as follows:

{ AYES 63 }  
{ NOES 39 }

Those who voted in the affirmative, were

Andrews	Cushing	Low	Tallmadge
Baker, B. F.	Davis	McCabe	Terpeny
Baker, C. S.	Deane	McCarthy	Terry
Beach	Dougherty	McDonald	Thilemann
Beates	Fiske	Miller	Tormey
Benedict, E. D.	Fitzgerald	Mitchell	Treanor
Bennett	Gibbs	Mooers	Tully
Brennan	Gorline	Morgan	Van Valkenburgh
Brodsky	Gray	Newman	Varnum
Catlin	Grosse	O'Connor	Walsh
Chase	Hagan	Potts	Warner
Comstock	Hoffman	Seeley	Wells, D. A.
Congdon	Husted	Shanley	Wells, J. L.
Costello	Hynes	Sheridan	Wiley
Cullinan	Ingersoll	Sisson	Mr. Speaker
Curtis	Lefever	Slingerland	

Those who voted in the negative, were

Alvord	Cohen	Havens	Rhodes
Benedict, T. E.	Cookinham	Hurd	Roberts
Bradley	Crapser	Kennedy	Root
Bridges	Douglass	Lindsay	Sanders
Bullock	Ellis	Mead	Sherman
Carpenter, I. S.	Evans	Nowlan	Skinner
Case	Ferris	Parker	Strait
Chamberlain	Fish	Peck	Tuttle, R. M.
Chickering	Griggs	Phillips	Wren
Clowes	Gwinup	Potter	

Mr. Varnum moved to reconsider the vote by which said resolution was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Alvord (introductory No. 285), entitled "An act to amend chapter 13 of part 1 of the Revised Statutes in relation to assessments," reported for the consideration of the House, and said bill was ordered printed and referred back to the committee on ways and means.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Strait (introductory No. 204), entitled "An act to amend section 8, chapter 176, Laws of 1851, entitled 'An act to amend the law for the assessment and collection of taxes,'" reported for the consideration of the House, and said bill was ordered printed and referred back to the committee on ways and means.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Cookinham (introductory No. 126), entitled "An act in relation to uncollected taxes in the several towns and wards in this State," reported for the consideration of the House, and said bill was ordered printed and referred back to the committee on ways and means."

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Cookinham (introductory No. 128), entitled "An act to amend chapter 446, Laws of 1879, entitled 'An act to amend chapter 361, Laws of 1867, entitled 'An act authorizing supplementary proceedings,'" reported for the consideration of the House, and said bill was ordered printed and referred back to the committee on ways and means.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced Mr. Bradley (introductory No. 266), entitled "An act for the relief of the Manhattan Savings Institution of the city of New York and to authorize the city of Yonkers to issue bonds for certain purposes," reported in favor of the passage of the same with amendments, amended by striking out preamble and inserting "Manhattan Savings" after the word "The" in section 1, line 1, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Husted introduced a bill entitled "An act to regulate the passage of lumber, logs and other timber upon the rivers of this State recognized by law or common use as public highways, for the purpose of floating and running lumber, logs and other timber over or upon the same to market or places of manufacture," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Also, "An act to prevent trespassing and intrusion upon railroad cars and engines," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Bradley offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee on affairs of villages be authorized to visit Oneonta, Baldwinsvills, Dobb's Ferry, and such other villages as they may deem best, and to employ a stenographer at not to exceed 15 cents a folio.

Said resolution giving rise to debate,

*Ordered*, That the same be laid upon the table.

Mr. Husted moved to lay all order of business on the table for the purpose of taking up the order of business on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to consolidate and amend the charter of the city of Rochester."

"An act to authorize the sales by towns and villages, in the county of Chenango, of capital stock in railroad companies."

Senate, "An act to incorporate the fire department in the village of Medina."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Low, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Baker moved to discharge the committee of the whole from the further consideration of said bill, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

*Ordered*, Engrossed for a third reading.

Mr. Low, from said committee, also reported in favor of the passage of the second named bill, with amendments, and the title amended by inserting after the word "Chenango" the words "Delaware, Madison and Ulster, the town of Vienna, in the county of Oneida, and the towns of Edmeston and Pittsfield, in the county of Otsego," which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Low, from said committee, also reported in favor of the passage of the last named bill, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Husted moved that this House do now adjourn, to meet again on Monday evening a 8 o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

And at 1 o'clock and 30 minutes, the House adjourned.

## MONDAY EVENING, FEBRUARY 2, 1880.

The House met pursuant to adjournment.

Prayer by the Rev. T. E. C. Sawyer.

The journal of Friday, January 23, was read and approved.

Leave of absence was granted to Mr. Duguid, until Wednesday.

Mr. Speaker presented a communication from the Auditor of the Canal Department in reference to a resolution of the Assembly, which was laid on the table and ordered printed.

(See Doc. No. 49.)

Privileges of the floor were granted to Hon. John Parker, Hon. Mr. Bandfield, former members of this House.

Mr. Speaker introduced a bill entitled "An act relating to the State Board of Charities," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Mooers introduced a bill entitled "An act to designate the place at which the annual town meeting of the town of Chazy, Clinton county, shall be held in the year 1880," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Roberts introduced a bill entitled "An act making appropriations for replacing the uniforms and equipments belonging to the 74th Regiment, National Guard, which were injured or destroyed at Buffalo and Hornellsville in June and July, 1877," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Russell introduced a bill entitled "An act to provide for the better regulation and inspection of building in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Miller introduced a bill entitled "An act to amend chapter 435 of the Laws of 1868, entitled 'An act to incorporate the village of Hamilton in the county of Madison and to repeal its present charter, as amended by chapter 166 of the Laws of 1877 and by chapter 19 of the Laws of 1878,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages. Accompanied by a petition on the same subject.

Mr. Fitzgerald introduced a bill entitled "An act relative to the pay of policemen and firemen of the city and county of New York injured or disabled while in the actual discharge of their duties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Low introduced a bill entitled "An act to amend chapter 589 of the Laws of 1875, entitled 'An act to extend the powers of the trustees of the village of Wilson in the county of Niagara,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. VanValkenburgh introduced a bill entitled "An act in relation to a certain bridge over the Erie canal on Mill street in the city of Lockport," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals. Accompanied by a petition on the same subject.

Mr. Alvord introduced a bill entitled "An act to confirm the title to real estate now held or hereafter acquired by resident aliens, which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill entitled "An act to authorize cities, towns, villages and school districts to receive devises, bequests, and gifts for the benefit of the public schools," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Clowes (by request) introduced a bill entitled "An act to limit the salaries of the aldermen of Long Island City," which was read the

first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Husted introduced a bill entitled "An act in relation to the publication of concurrent resolutions of the Senate and Assembly," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Also, the bill entitled "An act to incorporate the American Jersey Cattle Club for improving the breeding of Jersey cattle in the United States," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Terry (by request) introduced a bill entitled "An act to prevent any corporation, society, company or association from assuming the same or similar name or title of a corporation already in existence," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, "An act in relation to receivers of insolvent corporations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, "An act to amend section 430 of the Code of Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Hurd introduced a bill entitled "An act to authorize the completion of a bridge over the Erie canal at York street in the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Hurd, and by unanimous consent, said bill was ordered to a third reading.

Mr. Wiley (by request) introduced a bill entitled "An act to incorporate the Grand Lodge Knights of Pythias of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent,

Mr. Cullinan introduced a bill entitled "An act to authorize the sale by the city of Oswego and the town of Volney, in the county of Oswego, of capital stock in the New York and Oswego Midland Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Skinner presented a petition of citizens of Jefferson county in favor of separate institutions for the detention and reformation of convicted women; which was read and referred to the committee on State charitable institutions.

Mr. Carpenter presented a petition of citizens of Dutchess county in favor of the same as above; which was read and referred to the committee on State charitable institutions.

Mr. Bullock presented a petition of the inhabitants of the town of Olean, N. Y., in regard to an act relating to the banks and prism of the Genesee Valley canal; which was read and referred to the committee on canals.

Mr. Beates presented a petition of citizens of Tompkins, Delaware

county, against the division of the town of Tompkins; which was read and referred to the committee on civil divisions.

Mr. Terry moved that the bills entitled "An act in relation to and reducing the number of justices of the peace, creating judicial districts and providing for local inferior courts in the city of Brooklyn;" also, "An act to provide for the incorporation of mutual relief societies;" also, "An act to establish district courts in the city of Troy, and to provide for the election of district court justices," be stricken from the list of general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Husted offered for the consideration of the House a resolution in the words following:

*Resolved*, That the Homoeopathic Medical Society of the State of New York be granted the use of the Assembly Chamber Tuesday evening, February 10, 1880, for the purpose of holding their annual meeting.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. C. S. Baker offered for the consideration of the House a resolution in the words following:

*Resolved*, That the Commissioners of the Capitol be and they are hereby authorized and required to place chairs inside the railing of the Assembly Chamber for the accommodation of members' families and officers of the several State departments and their families.

Mr. Alvord moved to amend by inserting after the word "families" not to exceed ten in number.

Said resolution giving rise to debate,

*Ordered*, That the same be laid upon the table.

Mr. Shanley offered for the consideration of the House a resolution in the words following:

*Whereas*, Great complaint is made by citizens of New York and Kings counties, using the South and Hamilton ferries, that the accommodations upon the same are utterly insufficient, causing great loss of time to passengers, that the boats are crowded to the peril of human life, and the waiting rooms and ferry houses of such ferries are insufficient to provide proper shelter for the large number of passengers using the same, whereby great and unnecessary hardships are endured by them.

*Resolved*, That the committee on commerce and navigation, of the Assembly, be instructed to report, by bill or otherwise, such measures of relief as may be deemed necessary.

Said resolution giving rise to debate,

*Ordered*, That the same be laid upon the table.

Mr. Husted moved that all order of business be laid upon the table for the purpose of taking up the order of business of general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The House then resolved itself into committee of the whole on the bills entitled as follows:

"An act to authorize the State Comptroller to dispose of United States securities held by him for various trust funds, and to reinvest the proceeds from sales of said securities."

"An act to provide for the payment to the treasurer of Kings

county of the amount of State and county taxes annually raised by the city of Brooklyn."

"An act to confer upon boards of supervisors power to establish and change the date of the beginning of the fiscal year, in the different counties of the State."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Roberts, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Roberts, from said committee, also reported in favor of the passage of the second named bill, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Roberts, from said committee, also reported progress on the last named bill, and asked and obtained leave to sit again.

The House again resolved itself into a committee of the whole on the bills entitled as follows :

"An act to amend chapter 590 of the Laws of 1865, entitled 'An act to incorporate the Porous Plaster Company of the city of New York.'"

"An act to amend an act entitled 'An act to incorporate the Public Exchange,' passed April 22, 1868."

"An act to amend chapter 50 of the Laws of 1824, entitled 'An act relating to hackney coaches and carriages in the city of New York.'"

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. T. E. Benedict, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. T. E. Benedict, from said committee, also reported in favor of the passage of the last named bill, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

The House again resolved itself into a committee of the whole on the bills entitled as follows :

"An act in relation to the public buildings and grounds belonging to Erie county and the city of Buffalo."

"An act to regulate the examinations and reports of fire, and fire and inland navigation insurance companies."

"An act to regulate the depositing of securities by insurance companies with the superintendent of the insurance department."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Hagan, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Roberts moved to discharge the committee of the whole from the further consideration of said bill, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

*Ordered*, That said bill be engrossed for a third reading.

Mr. Hagan, from said committee, also reported in favor of the passage of the second and last named bills, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Wiley moved that this House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

And at 9 o'clock and 30 minutes, the House adjourned.

## TUESDAY MORNING, FEBRUARY 3, 1880.

The House met pursuant to adjournment.

Prayer by Rev. T. E. C. Sawyer.

The journal of yesterday was read and approved.

The Senate sent for concurrence the bills entitled as follows:

"An act to authorize the construction of a bridge over the Erie canal at Tonawanda," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to amend chapter 324 of the Laws of 1850, entitled 'An act for the preservation of the public health,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Privileges of the floor were granted to Hon. A. C. Brundage and Hon. J. H. Plumb, former members of this House.

Mr. Griggs introduced a bill entitled "An act in relation to the sale and proceeds of sale of certain school property in the city of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Congdon introduced a bill entitled "An act allowing husbands and wives to deed and convey, sell and transfer and assign any real or personal property, one to the other directly, and to pass the same title to the property as if the parties were unmarried," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, "An act allowing husbands and wives to take deeds and other conveyances of land jointly, and to hold the premises so deeded or conveyed as joint tenants," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Clark introduced a bill entitled "An act to amend chapter 479 of the Laws of 1867, entitled 'An act to amend the charter of the village of Dunkirk,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Childs introduced a bill entitled "An act in relation to stenographers in the supreme court, county court and court of sessions in the counties comprised in the sixth judicial district," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Seeley introduced a bill entitled "An act to change the name of the Knickerbocker Casualty Insurance Company of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. McDonald introduced a bill entitled "An act to authorize the improvement of the public squares, parks or places in the Fourth avenue, between 67th and 96th streets, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Cullinan introduced a bill entitled "An act to amend an act



entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,' passed June 20, 1879," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

Mr. Chase introduced a bill entitled "An act to authorize the appropriation of the moneys raised by the town of Otsego, in the county of Otsego, under chapter 482 of the Laws of 1875, to pay moneys borrowed by the supervisor of said town, and used to secure to said town the use of the Otsego county court-house building for town hall purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. R. M. Tuttle introduced a bill entitled "An act to amend chapter 489 of the Laws of 1873, entitled 'An act to amend an act entitled 'An act for the better security of mechanics and others erecting buildings in the counties of Westchester, Oneida, Cortland, Broome, Putnam, Rockland, Orleans, Niagara, Livingston, Otsego, Lewis, Orange and Dutchess,' passed April 17, 1854, and as amended by chapter 558 of the Laws of 1869, entitled 'An act for the better security of mechanics and others erecting buildings in either of the counties of this State, except the counties of Erie, Kings, Queens, New York and Onondaga,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Sherman introduced a bill entitled "An act to authorize the extension of the time for the collection of taxes in the several towns in this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Travis introduced a bill entitled "An act to regulate the manner of sale of fresh fish," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

Mr. Curtis (by request) introduced a bill entitled "An act to grant relief to the sureties of trustees appointed by the supreme court of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Shanley introduced a bill entitled "An act to amend chapter 863 of the Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn,' passed June 28, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Howland introduced a bill entitled "An act to extend the corporate existence of the Jordan and Skaneateles Plank Road Company in the purchasers or owners thereof, over that portion of said road lying between the villages of Skaneateles and Mottville, in the town of Skaneateles," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges. Accompanied by a petition on the same subject.

Mr. Clowes introduced a bill entitled "An act to provide for the improvement of Steinway avenue in Long Island City," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Case, from the committee on federal relations, to which was

referred the bill introduced by Mr. Husted (introductory No. 136), entitled "An act ceding jurisdiction to the United States over a submarine site, for a light-house to be built at the Great Beds in Raritan bay," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Case, from the committee on federal relations, to which was referred the Senate bill (introductory No. 4), entitled "An act giving the consent of the State of New York to the purchase of or acquisition by the United States of two sites for range lights in Cold Spring harbor (Queens county), Long Island, New York, and ceding jurisdiction over the same," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Case, from the committee on federal relations, to which was referred the Senate bill (introductory No. 14), entitled "An act giving the consent of the State of New York to the United States, for the purchase of land at New Brighton and ceding jurisdiction over the same," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 23), entitled "An act to amend chapter 590, Laws of 1866, entitled 'An act to incorporate the Porous Plaster Company of the city of New York,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Husted, and by unanimous consent, said bill was substituted for Assembly bill on same subject now on order of third reading.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to consolidate and amend the charter of the city of Rochester."

"An act to authorize the sale, by towns and villages, in the counties of Chenango, Delaware, Madison, Ulster and Sullivan, and the towns of Edmeston and Pittsfield, in the county of Otsego, of capital stock in railroad companies."

Pursuant to ninth joint rule, Mr. Speaker announced order of business, third reading of bills.

The bill entitled "An act to amend chapter 431 of the Laws of 1875, entitled 'An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord  
Andrews

Comstock  
Congdon

Lefever  
Lindsay

Russell  
Sanders

Ash	Cullinan	Low	Seeley
Baker, B. F.	Curtis	McAvoy	Sherman
Baker, C. S.	Cushing	McCabe	Shuit
Beach	Davis	McDonald	Sisson
Beates	Deane	Mead	Skinner
Benedict, E. D.	Ellis	Miller	Slingerland
Benedict, T. E.	Evans	Mitchell	Steele
Brodsky	Fitzgerald	Mooers	Terpeny
Bullock	Gibbs	Morgan	Terry
Carpenter, E. A.	Gillette	Newman	Titus
Carpenter, I. S.	Gray	Nowlan	Travis
Case	Gwinup	O'Brien	Tuthill, H. H.
Catlin	Havens	O'Connor	Tuttle, R. M.
Chamberlain	Hoffman	Parker	Van Valkenburgh
Chase	Howland	Phillips	Varnum
Chickering	Hurd	Pitcher	Warner
Childs	Husted	Potter	Waterbury
Clark	Hynes	Potts	Wells, D. A.
Clowes	Ingersoll	Root	Youngs
Cohen			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 277 of the Laws of 1868, entitled 'An act to amend an act entitled 'An act to provide for the incorporation of villages, passed December 7, 1847, and the several acts amending the same, so far as relates to the village of Baldwinsville, Onondaga county,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Lindsay	Sherman
Andrews	Cookinham	Low	Shuit
Ash	Costello	McAvoy	Sisson
Baker, B. F.	Curtis	McCabe	Skinner
Baker, C. S.	Cushing	McCarthy	Slingerland
Beach	Davis	McDonald	Steele
Beates	Deane	McTernan	Tallmadge
Benedict, E. D.	Evans	Mead	Terpeny
Benedict, T. E.	Ferris	Mitchell	Terry
Bradley	Fish	Mooers	Thiemann
Brennan	Fitzgerald	Morgan	Titus
Bullock	Gibbs	Newman	Travis
Carpenter, E. A.	Gray	O'Connor	Tuthill, H. H.
Carpenter, I. S.	Grosse	Parker	Tuttle, R. M.
Case	Gwinup	Peck	Van Valkenburgh
Catlin	Havens	Potts	Varnum
Chamberlain	Hoffman	Rhodes	Warner
Chase	Howland	Root	Waterbury
Chickering	Hurd	Russell	Wells, D. A.
Childs	Husted	Sanders	Wells, J. L.
Clowes	Ingersoll	Seeley	Weston
Cohen	Lefever	Sheridan	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to revise and consolidate the general acts relating to public education, passed May 2, 1864,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Lefever	Shuit
Andrews	Cullinan	Lindsay	Sipp
Ash	Curtis	Low	Sisson
Baker, B. F.	Cushing	McAvoy	Skinner
Baker, C. S.	Davis	McCabe	Slingerland
Reach	Douglass	McDonald	Steele
Beates	Evans	Mead	Strait
Benedict, E. D.	Fish	Miller	Terpeny
Benedict, T. E.	Fitzgerald	Mitchell	Terry
Brennan	Gibbs	Morgan	Thilemann
Bridges	Gillette	Newman	Titus
Brodsky	Gray	Nowlan	Travis
Bullock	Grosse	O'Brien	Tully
Carpenter, E. A.	Gwinup	O'Connor	Tuthill, H. H.
Carpenter, I. S.	Hagan	Parker	Tuttle, R. M.
Case	Havens	Phillips	Van Valkenburgh
Catlin	Hoffman	Roberts	Varnum
Chamberlain	Howland	Root	Warner
Chase	Husted	Russell	Waterbury
Chickering	Hynes	Sanders	Weston
Clowes	Ingersoll	Sheridan	Wren
Condon			

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to authorize the common council of the city of Lockport to raise by tax and disburse money in providing system of fire alarm for said city of Lockport," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	McAvoy	Sherman
Andrews	Costello	McCabe	Shuit
Ash	Curtis	McDonald	Sipp
Baker, B. F.	Deane	McTernan	Sisson
Baker, C. S.	Ellis	Mead	Skinner
Beach	Evans	Miller	Steele
Beates	Ferris	Mitchell	Tallmadge
Benedict, E. D.	Fish	Mooers	Terpeny
Bradley	Gibbs	Morgan	Terry
Bridges	Gillette	Newman	Titus
Brodsky	Gray	Nowlan	Travis

Bullock	Grosse	O'Brien	Tully
Carpenter, E. A.	Gwinup	O'Connor	Tuthill, H. H.
Carpenter, I. S.	Hagan	Parker	Tuttle, R. M.
Case	Hayes	Phillips	Van Valkenburgh
Catlin	Hoffman	Potts	Varnum
Chase	Howland	Roberts	Warner
Chickering	Hynes	Root	Waterbury
Clark	Ingersoll	Russell	Wells, D. A.
Clowes	Lefever	Sanders	Wren
Cohen	Lindsay	Seeley	Youngs
Congdon	Low	Sheridan	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to the partition of lands held by husband and wife as joint tenants, tenants in common, or as tenants by entireties," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 93 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	McAvoy	Sipp
Andrews	Cushing	McCabe	Skinner
Ash	Davis	McCarthy	Slingerland
Baker, B. F.	Deane	McTernan	Steele
Baker, C. S.	Douglass	Mead	Tallmadge
Beach	Evans	Mitchell	Terpeny
Beates	Ferris	Moors	Terry
Benedict, T. E.	Fish	Morgan	Thilemann
Bradley	Fitzgerald	Newman	Titus
Brennan	Gibbs	Nowlan	Travis
Bridges	Gillette	O'Brien	Tully
Brodsky	Gray	Parker	Tuthill, H. H.
Bullock	Griggs	Peck	Tuttle, R. M.
Carpenter, E. A.	Grosse	Phillips	Van Valkenburgh
Carpenter, I. S.	Gwinup	Potts	Varnum
Case	Havens	Roberts	Walsh
Catlin	Hoffman	Root	Warner
Chase	Howland	Russell	Waterbury
Chickering	Hurd	Sanders	Wells, J. L.
Childs	Husted	Shanley	Weston
Clowes	Hynes	Sheridan	Wiley
Congdon	Kennedy	Sherman	Wren
Costello	Lefever	Shuit	Youngs
Cullinan			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend section 7 of chapter 591, Laws of 1870, entitled 'An act in relation to the custody and disposition of the moneys arising from the sale of the plain or common lands of the town of Hempstead, Queens county, New York,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a

majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costello	Kennedy	Sipp
Baker, B. F.	Cullinan	Lefever	Skinner
Baker, C. S.	Curtis	Lindsay	Slingerland
Beach	Cushing	McAvoy	Steele
Beates	Davis	McDonald	Strait
Benedict, E. D.	Douglass	Mead	Tallmadge
Bridges	Evans	Miller	Terpeny
Brodsky	Ferris	Mitchell	Terry
Bullock	Fish	Mooers	Thilemann
Carpenter, E. A.	Fitzgerald	Newman	Titus
Carpenter, I. S.	Gibbs	Nowlan	Travis
Case	Gillette	Parker	Tuthill, H. H.
Catlin	Gray	Potts	Tuttle, R. M.
Chase	Griggs	Rhodes	Varnum
Chickering	Grosse	Roberts	Warner
Childs	Havens	Root	Waterbury
Clancy	Hayes	Russell	Wells, D. A.
Clark	Hoffman	Sanders	Weston
Clowes	Howland	Seeley	Wiley
Cohen	Hurd	Sheridan	Wren
Congdon	Husted	Sherman	Youngs
Cookinham	Ingersoll		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to enable married women to testify in certain cases of criminal prosecution against their husbands," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 87 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Hurd	Russell
Baker, B. F.	Cookinham	Husted	Sanders
Baker, C. S.	Costello	Hynes	Seeley
Beach	Cullinan	Ingersoll	Sheridan
Beates	Curtis	Kennedy	Sherman
Benedict, E. D.	Cushing	Lefever	Sipp
Benedict, T. E.	Davis	Lindsay	Skinner
Bradley	Deane	Low	Slingerland
Brennan	Douglass	McAvoy	Steele
Bridges	Evans	McCabe	Tallmadge
Brodsky	Fiske	McTernan	Terpeny
Bullock	Fitzgerald	Mead	Terry
Carpenter, E. A.	Gillette	Miller	Thilemann
Carpenter, I. S.	Gray	Mitchell	Titus
Catlin	Griggs	Mooers	Travis
Chamberlain	Grosse	Newman	Tuthill, H. H.

Chase	Gwinup	Nowlan	Tuttle, R. M.
Chickering	Hagan	Parker	Varnum
Childs	Havens	Phillips	Wells, D. A.
Clark	Hayes	Potter	Wiley
Clowes	Hoffman	Potts	Wren
Cohen	Howland	Root	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to release all that part of the waters of Lake Ontario, together with its bays and inlets in the county of Jefferson, saving and excepting Henderson harbor and bay, from the operation of the provisions of sections 23 and 26 of chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish, and other game,'" being announced for a third reading, Mr. Ellis moved to recommit the said bill to committee on game laws, with instructions to amend said bill in words following, and report forthwith:

After the word "Jefferson," insert "and in that part of Oswego county, lying between its Jefferson county line and the westerly line of the town of Mexico;" and after the word "bay", 3d line, insert "and within one-half mile of the outlet or mouth of Salmon river".

Mr. Chickering, from the committee on game laws, reported said bill back, amended as instructed by the House, and said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	McCarthy	Seeley
Andrews	Deane	McDonald	Sheridan
Ash	Ellis	McTernan	Shuit
Baker, B. F.	Fish	Mead	Sipp
Baker, C. S.	Gibbs	Miller	Sisson
Beach	Gillette	Mitchell	Skinner
Beates	Griggs	Mooers	Slingerland
Benedict, E. D.	Grosse	Morgan	Steele
Benedict, T. E.	Gwinup	Newman	Strait
Brennan	Hagan	Nowlan	Tallmadge
Bridges	Havens	O'Brien	Terpeny
Brodsky	Hayes	O'Connor	Terry
Bullock	Hoffman	Parker	Thilemann
Carpenter, I. S.	Howland	Peck	Travis
Catlin	Hurd	Phillips	Tully
Chamberlain	Husted	Potter	Tuttle, R. M.
Chase	Hynes	Potts	Van Valkenburgh
Clark	Ingersoll	Rhodes	Varnum
Cohen	Kennedy	Roberts	Waterbury
Congdon	Lefever	Root	Weston
Cookinham	Lindsay	Russell	Wiley
Costello	McAvoy	Sanders	Youngs
Cushing	McCabe		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 353 of the Laws of 1878, entitled 'An act in relation to the term of office of the clerk and assistant clerk of the board of supervisors of Kings county, and of the engineers of the county court-house in said county,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 00 }.

Those who voted in the affirmative, were

Alvord	Ellis	McDonald	Sipp
Andrews	Evans	Miller	Sisson
Ash	Ferris	Mitchell	Skinner
Baker, B. F.	Fish	Mooers	Slingerland
Baker, C. S.	Gillette	Morgan	Steele
Beach	Gray	Newman	Strait
Beates	Griggs	Nowlan	Tallmadge
Brennan	Grosse	O'Brien	Terpeny
Bridges	Gwinup	O'Connor	Terry
Brodsky	Hoffman	Parker	Thilemann
Bullock	Howland	Peck	Titus
Carpenter, I. S.	Hurd	Phillips	Travis
Catlin	Husted	Potts	Tully
Chamberlain	Ingersoll	Rhodes	Tuthill, H. H.
Chase	Kennedy	Roberts	Tuttle, R. M.
Childs	Lefever	Root	Van Valkenburgh
Cohen	Lindsay	Russell	Varnum
Costello	Low	Sanders	Waterbury
Cushing	McAvoy	Seeley	Wiley
Davis	McCabe	Sheridan	Youngs
Deane	McCarthy		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act making an appropriation to carry out the provisions of chapter 134 of the Laws of 1878, and chapter 306 of the Laws of 1879, entitled respectively 'An act in relation to infectious and contagious diseases of animals, and to provide for liquidating and discharging all obligations incurred thereunder by the agents of the State,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 76 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Clowes	Ingersoll	Sheridan
Andrews	Congdon	Kennedy	Shuit
Ash	Cookinham	Lefever	Sisson
Baker, B. F.	Curtis	Lindsay	Skinner
Baker, C. S.	Cushing	McAvoy	Slingerland
Beach	Davis	McCarthy	Steele



Benedict, T. E.	Deane	McDonald	Tallmadge
Bradley	Douglass	Miller	Terry
Brennan	Ellis	Mitchell	Titus
Bridges	Evans	Moors	Travis
Brodsky	Ferris	Nowlan	Tuthill, H. H.
Bullock	Gillette	Parker	Tuttle, R. M.
Carpenter, E. A.	Griggs	Phillips	Van Valkenburgh
Carpenter, I. S.	Grosse	Potter	Varnum
Case	Gwinup	Potts	Warner
Chamberlain	Hayes	Root	Waterbury
Chase	Hoffman	Russell	Wiley
Chickering	Howland	Sanders	Wren
Childs	Husted	Seeley	Youngs

Those who voted in the negative, were

Newman Thilemann

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the bill entitled "An act to declare the cases in which offices shall be deemed vacant," with a message that they have passed the same without amendment.

*Ordered*, That the Clerk deliver said bill to the Governor.

The bill entitled "An act for the improvement of the Hudson river, and to make an appropriation therefor," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 103 }  
{ NOES 4 }

Those who voted in the affirmative, were

Alvord	Cushing	Lindsay	Sherman
Andrews	Davis	Low	Shuit
Ash	Deane	McAvoy	Sipp
Baker, B. F.	Douglass	McCabe	Sisson
Baker, C. S.	Ellis	McCarthy	Slingerland
Beates	Evans	McDonald	Strait
Benedict, E. D.	Ferris	Mead	Tallmadge
Bradley	Fish	Miller	Terpeny
Bridges	Fiske	Mitchell	Terry
Brodsky	Fitzgerald	Moors	Thilemann
Carpenter, E. A.	Gibbs	Newman	Titus
Carpenter, I. S.	Gillette	Nowlan	Travis
Case	Gray	O'Brien	Treanor
Catlin	Griggs	O'Connor	Tully
Chamberlain	Grosse	Parker	Tuthill, H. H.
Chase	Hagan	Peck	Tuttle, R. M.
Childs	Havens	Phillips	Varnum
Clancy	Hayes	Pitcher	Walsh
Clark	Hoffman	Potter	Warner
Clowes	Howland	Potts	Waterbury
Cohen	Hurd	Rhodes	Wells, D. A.
Congdon	Husted	Sanders	Wells, J. L.
Cookinham	Hynes	Seeley	Weston
Costello	Ingersoll	Shanley	Wiley
Cullinan	Kennedy	Sheridan	Youngs
Curtis	Lefever		

Those who voted in the negative, were

Brennan	Chickering	Skinner	Wren
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*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act making an appropriation to pay the expense of the publication of the concurrent resolutions proposing amendments to the Constitution, under the direction of the Secretary of State in 1879," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 95 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costello	McAvoy	Sipp
Andrews	Cullinan	McCabe	Siason
Ash	Curtis	Mead	Skinner
Baker, B. F.	Cushing	Miller	Slingerland
Baker, C. S.	Davis	Mitchell	Steele
Beach	Deane	Mooers	Tallmadge
Beates	Ellis	Morgan	Terpeny
Benedict, E. D.	Evans	Newman	Terry
Bradley	Ferris	Nowlan	Thilemann
Brennan	Fish	O'Brien	Titus
Bridges	Fitzgerald	O'Connor	Travis
Brodsky	Gibbs	Parker	Treanor
Carpenter, E. A.	Gillette	Pitcher	Tuthill, H. H.
Carpenter, I. S.	Griggs	Potter	Tuttle, R. M.
Case	Grosse	Potts	Van Valkenburgh
Callin	Gwinup	Rhodes	Varnum
Chamberlain	Hayes	Root	Warner
Chase	Howland	Russell	Waterbury
Chickering	Hurd	Sanders	Wells, D. A.
Childs	Husted	Seeley	Wells, J. L.
Clowes	Hynes	Shanley	Weston
Cohen	Ingersoll	Sheridan	Wiley
Congdon	Lindsay	Sherman	Wren
Cookinham	Low	Shuit	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therpin.

The bill entitled "An act to consolidate and amend the charter of the city of Rochester," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Costello	McCabe	Shuit
Andrews	Curtis	McCarthy	Skinner
Baker, C. S.	Cushing	Miller	Slingerland

Beach	Davis	Mitchell	Steele
Beates	Deane	Mooers	Tallmadge
Benedict, E. D.	Evans	Morgan	Terpeny
Benedict, T. E.	Ferris	Newman	Terry
Bridges	Fish	Nowlan	Titus
Brodsky	Fitzgerald	O'Brien	Travis
Bullock	Gibbs	Parker	Tully
Carpenter, I. S.	Gillette	Phillips	Tuthill, H. H.
Case	Gray	Potter	Tuttle, R. M.
Catlin	Grosse	Potts	Van Valkenburgh
Chamberlain	Gwinup	Rhodes	Varnum
Chickering	Hayes	Root	Warner
Clark	Hoffman	Sanders	Wells, D. A.
Clowes	Lefever	Seeley	Wells, J. L.
Cohen	Lindsay	Shanley	Weston
Congdon	Low	Sheridan	Wren
Cookinham	McAvoy	Sherman	Youngs

Those who voted in the negative, were  
Walsh

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the sale by towns and villages, in the counties of Chenango, Delaware, Madison, Ulster and Sullivan, and the towns of Edmeston and Pittsfield, in the county of Otsego, of capital stock in railroad companies," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	McCabe	Sherman
Andrews	Davis	McDonald	Sisson
Ash	Evans	Miller	Skinner
Baker, C. S.	Ferris	Mitchell	Slingerland
Beach	Fish	Mooers	Steele
Beates	Fitzgerald	Morgan	Tallmadge
Benedict, E. D.	Gibbs	Newman	Terry
Benedict, T. E.	Gillette	O'Brien	Thilemann
Bridges	Griggs	Parker	Titus
Brodsky	Grosse	Peck	Travis
Bullock	Havens	Phillips	Tully
Carpenter, E. A.	Hayes	Pitcher	Tuthill, H. H.
Carpenter, I. S.	Hoffman	Potter	Tuttle, R. M.
Case	Hurd	Potts	Varnum
Catlin	Husted	Root	Warner
Chase	Ingersoll	Russell	Wells, D. A.
Clark	Kennedy	Sanders	Wells, J. L.
Clowes	Lefever	Seeley	Weston
Congdon	Low	Shanley	Wren
Curtis	McAvoy	Sheridan	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to incorporate the fire department of the village of Medina," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costello	Lefever	Sheridan.
Andrews	Crafts	Lindsay	Sherman
Ash	Cullinan	Low	Shuit
Baker, C. S.	Curtis	McAvoy	Sipp
Beach	Cushing	McCabe	Sisson
Beates	Davis	McTernan	Skinner
Benedict, E. D.	Deane	Mead	Slingerland
Benedict, T. E.	Ellis	Mitchell	Steele
Brennan	Evans	Mooers	Strait
Bridges	Ferris	Morgan	Terpeny
Brodsky	Fish	Newman	Terry
Bullock	Fitzgerald	Nowlan	Thilemann
Carpenter, E. A.	Gibbs	O'Brien	Titus
Carpenter, I. S.	Gillette	O'Connor	Travis
Case	Gray	Parker	Tuthill, H. H.
Chamberlain	Grosse	Peck	Tuttle, R. M.
Chase	Gwinup	Potter	Van Valkenburgh
Childs	Hayes	Rhodes	Varnum
Clark	Hoffman	Root	Warner
Clowes	Husted	Russell	Wells, D. A.
Cohen	Hynes	Sanders	Weston
Congdon	Ingersoll	Seeley	Wren
Cookinham	Kennedy	Shanley	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to amend chapter 590 of the Laws of 1865, entitled 'An act to incorporate the Porous Plaster Company of the city of New York,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 81 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	McAvoy	Shuit
Andrews	Curtis	McCabe	Sisson
Ash	Cushing	McDonald	Skinner
Baker, B. F.	Davis	McTernan	Slingerland
Baker, C. S.	Douglass	Mead	Steele
Beach	Evans	Miller	Strait
Beates	Fish	Mooers	Terry
Benedict, E. D.	Fitzgerald	Morgan	Thilemann
Benedict, T. E.	Gibbs	Newman	Titus
Bradley	Gray	Nowlan	Travis
Brennan	Hayes	O'Brien	Tuthill, H. H.
Brodsky	Hoffman	O'Connor	Tuttle, R. M.
Bullock	Howland	Parker	Van Valkenburgh
Carpenter, E. A.	Husted	Potter	Varnum

Carpenter, I. S.	Hynes	Potts	Warner
Catlin	Ingersoll	Root	Waterbury
Chamberlain	Kennedy	Russell	Wells, D. A.
Childs	Lefever	Sanders	Weston
Clowes	Lindsay	Shanley	Wiley
Congdon	Low	Sheridan	Wren
Cookinham			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Leave of absence was granted to Mr. Wren indefinitely.

This being the day assigned, under the rule, for the consideration of general orders,

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act in relation to the rights and liabilities of married women."

"An act to amend chapter 249 of the Laws of 1879, entitled 'An act in relation to the acknowledgment by married women of deeds and other written instruments.'"

"An act to create a board of equalization in the county of Oneida."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Bradley, from said committee, reported in favor of the passage of the first and last named bills, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Bradley, from said committee, also reported in favor of the passage of the second named bill, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend chapter 290 of the Laws of 1879, entitled 'An act to amend chapter 149 of the Laws of 1874, entitled 'An act to amend an act passed April 27, 1872, entitled 'An act to amend chapter 657 of the Laws of 1871, entitled 'An act to amend an act, passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes, passed April 20, 1871.'"

"An act to amend subdivision 1, of section 9, of article 2, title 4, chapter 6 part 1 of the Revised Statutes, in relation to elections and ballots."

"An act to ascertain the citizens of the various towns of Kings county who shall be entitled to the right of suffrage therein."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Hoffman, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Hoffman, from said committee, also reported progress on the second named bill, and asked and obtained leave to sit again.

Mr. Hoffman, from said committee, also reported in favor of the passage of the last named bill, with amendments.

Mr. Cohen moved to lay said report on the table.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Cohen and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said report, and it was determined in the affirmative.

*Ordered*, That said bill be engrossed for a third reading.

Mr. Lindsay offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee on general laws be discharged from the further consideration of the bill (introductory No. 301), entitled "An act to authorize the construction of a bridge over Newtown creek, and that the same be referred to the committee on commerce and navigation."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Andrews introduced a bill entitled "An act in relation to the payment of costs on arrest, trial and punishment for crimes and misdemeanors in villages, and in relation to the civil jurisdiction of police justices therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Husted, and at 1 o'clock and 45 minutes, the House adjourned.

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### WEDNESDAY MORNING, FEBRUARY 4, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Clarence Eddy, of Troy.

The journal of yesterday was read and approved.

The Senate sent for concurrence the bills entitled as follows:

"An act to prohibit the construction of buildings, of wood or other combustible materials, in a certain portion of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act in relation to the payment of assessments for local improvements in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act authorizing such women and girls as are vagrants, or convicted of misdemeanors as a first offense, to be sent to the 'Shelter for Homeless Women,' in the city of Syracuse," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to authorize the police department or board of police of any city to appoint policemen of district telegraph companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act for the relief of John Waller," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Privileges of the floor were granted to Hon. David J. Follett, Hon. C. E. Marlin and Hon. O. W. Chapman.

Indefinite leave of absence was granted to Mr. Crafts.

The Senate sent for concurrence the following resolutions:

*Resolved* (if the Assembly concur), That 250 copies of the Annual Report of the Managers of the Hudson River Hospital be printed in paper covers for the use of the managers of said hospital.

*Ordered*, That said resolution be referred to the committee on public printing.

*Resolved* (if the Assembly concur), That 250 copies of the annual report of the Canal Appraisers be printed, with paper covers, for the use of the appraisers.

*Ordered*. That said resolution be referred to the committee on public printing.

Mr. Morgan (by request) introduced a bill entitled "An act to amend chapter 14, title 1, section 24, clause 2, first volume Revised Statutes," to read as follows: which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Curtis introduced a bill entitled "An act to legalize the official acts and proceedings of John Bradley Blevin, a justice of the peace of Chenango county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Parker introduced a bill entitled "An act to amend chapter 34 of the Session Laws of 1876, entitled 'An act to provide for the payment of a portion or the whole of the county debt of the county of Greene, by issuing new bonds,' passed February 28, 1876," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Chiekering introduced a bill entitled "An act to provide for the organization and formation of companies, for the purpose of increasing the water supply of any river or stream in this State in aid of the milling and manufacturing interests thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Russell introduced a bill entitled "An act to abolish the office of county auditor of Kings county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Newman introduced a bill entitled "An act to establish the rates of commission to be charged for disbursing bills on vessels," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Brodsky introduced a bill entitled "An act to amend the Code of Civil Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary. Accompanied by a petition.

Mr. Thilemann (by request) introduced a bill entitled "An act to secure or protect bequests of a charitable or public character," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Duguid introduced a bill entitled "An act to amend an act entitled 'An act to incorporate the Domestic and Foreign Missionary Society of the Protestant Episcopal Church of the United States of America,' passed May 13, 1846," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Howland introduced a bill entitled "An act to perfect title to

lands in the trustees of the village of Skaneateles, for 'cemetery purposes,' which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Howland, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Hynes	Sanders
Andrews	Curtis	Ingersoll	Shuit
Ash	Cushing	Lelever	Sisson
Baker, C. S.	Davis	Lindsay	Skinner
Beach	Deane	Low	Slingerland
Benedict, E. D.	Douglass	McAvoy	Steele
Benedict, T. E.	Duell	McCarthy	Tallmadge
Brennan	Duguid	McDonald	Terry
Bridges	Ellis	McTernan	Thilemann
Brodsky	Evans	Mead	Travis
Carpenter, E. A.	Ferris	Mitchell	Treanor
Carpenter, I. S.	Fish	Mooers	Tully
Case	Fitzgerald	Morgan	Tuthill, H. H.
Cadin	Gibbs	Newman	Tuttle, R. M.
Chamberlain	Gillette	O'Brien	Varnum
Chickering	Gray	O'Connor	Warner
Childs	Gwinup	Parker	Wells, D. A.
Clowes	Havens	Peck	Wells, J. L.
Congdon	Hayes	Potter	Wiley
Cookinham	Howland	Potts	Youngs
Craiser	Hurd	Russell	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Cullinan introduced a bill entitled "An act to repeal section 2 of chapter 169 of the Laws of 1879, entitled 'An act authorizing and directing the county clerk of Oswego county to sign the certificate of certain records now recorded and filed in the Oswego county clerk's office,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Youngs introduced a bill entitled "An act to amend chapter 613 of the Laws of 1867, entitled 'An act in confirmation of the conveyance of lands to the Queens County Agricultural Society, and extending the powers of the officers of said society,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

Mr. Clowes introduced a bill entitled "An act to reduce the width of Riker avenue in Long Island City in the county of Queens, from 130 feet to 80 feet," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Comstock introduced a bill entitled "An act to establish and maintain a police force in the city of Troy," which was read the first



time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill entitled "An act to amend chapter 136 of the Laws of 1873, entitled 'An act to organize a board of school commissioners in and for the city of Troy,' passed March 25, 1873, and the several acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Strait introduced a bill entitled "An act entitled 'An act for the verification of pleadings in the justices' court,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Husted introduced a bill entitled "An act to enable the Alanson Methodist Episcopal Church of the city of New York to transfer and convey certain real property," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies. Accompanied by a petition.

Mr. Fiske introduced a bill entitled "An act to revise and consolidate an act entitled 'An act to incorporate the village of New Brighton,' passed April 20, 1866, and amended April 22, 1867, April 27, 1871, March 27, 1872 and May 14, 1873, so that the several sections thereof shall read respectively as follows:" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Lefever introduced a bill entitled "An act to release all that part of the waters of the Walkill creek and its inlets lying and being in the county of Ulster from the operation of the provisions of sections 23, 24 and 26, of chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,' passed June 20, 1879," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

Mr. Travis introduced a bill entitled "An act to release the interest of the people of the State of New York in and to lands of which Richard Boyd and Joseph Boyd died seized to Mary S. Bradley," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

Mr. E. A. Carpenter introduced a bill entitled "An act to amend the act entitled 'An act to revise, amend and consolidate the several acts relating to the village of Sag Harbor,' passed April 18, 1861, and the several acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Husted (introductory No. 340), entitled "An act in relation to the publication of concurrent resolutions of the Senate and Assembly," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Husted, from the committee on ways and means, to which was referred the Senate bill (introductory No. 22), entitled "An act to authorize a tax of 34-100 of a mill, per dollar of valuation; to provide

for a deficiency in the sinking fund under article 7, section 3, of the Constitution," reported in favor of discharging the committee from the further consideration of the bill, and that it be referred to the committee on canals.

Mr. Husted, from the committee on ways and means, to which was referred the Senate bill (introductory No. 21), entitled "An act making appropriations for the payment of the principal and interest of the canal debt for the fiscal year commencing on the 1st day of October, 1880," reported in favor of discharging the committee from the further consideration of the bill, and that it be referred to the committee on canals.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Russell (introductory No. 201), entitled "An act in relation to the common lands of the town of Gravesend," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Shuit (introductory No. 80), entitled "An act to amend chapter 317 of the Laws of 1878, entitled 'An act in relation to the bonded indebtedness of villages, cities, towns and counties,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Wren (introductory No. 37), entitled "An act in relation to and reducing the number of justices of the peace, creating judicial districts and providing for local inferior courts in the city of Brooklyn," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Steele (introductory No. 324), entitled "An act to prevent frauds against creditors in matters of record," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Slingerland (introductory No. 261), entitled "An act to amend section 10 of title 8 of chapter 77 of the Laws of 1870, entitled 'An act to amend the act to combine into one act the several acts relating to the city of Albany,' passed April 12, 1842, and the several acts amendatory thereof, and also to repeal the act to establish a capital police district and to provide for the government thereof, passed April 22, 1865, and the several acts amendatory thereof in so far as they relate to the city of Albany," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Wren (introductory No. 260), entitled "An act for the extension of a certain highway in the city of Brooklyn to and in the town of Newtown, Queens county," reported the same for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was recommitted the bill introduced by Mr. Low (introductory No. 227), entitled "An act conferring additional powers upon the board of supervisors of the county of Niagara, relative to expenses for the support of the poor," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the Senate bill (introductory No. 10), entitled "An act to amend section 2 of chapter 22 of the Laws of 1858, entitled 'An act to enable the electors of the town of Watervliet to vote by districts for the election of town officers,' as amended by section 1 of chapter 259 of the Laws of 1879," reported in favor of the passage of the same with amendments, and the title amended so as to read as follows: "An act to amend chapter 259 of the Laws of 1879, entitled 'An act to amend chapter 22 of the Laws of 1858, entitled 'An act to enable the electors of the town of Watervliet to vote by districts for the election of town officers,'" which report was agreed to and said bill committed to the committee of the whole.

Mr. Bridges, from the committee on public printing, to which was referred the resolution to print 1,000 extra copies of the Adjutant-General's report, reported in favor of the adoption of the following resolution:

*Resolved* (if the Senate concur), That 1,000 extra copies of the Adjutant-General's report be printed and bound (in cloth), for the use of the Adjutant-General's Department.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, as follows:

{ AYES 85 }  
{ NOES 3 }

Those who voted in the affirmative, were

Alvord	Davis	Low	Seeley
Andrews	Deane	McAvoy	Shanley
Ash	Douglass	McDonald	Sheridan
Baker, B. F.	Duguid	McTernan	Sherman
Baker, C. S.	Evans	Mead	Shuit
Benedict, E. D.	Fish	Mitchell	Sipp
Benedict, T. E.	Fitzgerald	Mooers	Sisson
Brennan	Gibbs	Morgan	Skinner
Bridges	Gillette	Nowlan	Slingerland
Brodsky	Gorsline	O'Brien	Steele
Carpenter, E. A.	Gray	O'Connor	Terpeny
Carpenter, I. S.	Griggs	Parker	Terry
Catlin	Gwinup	Phillips	Titus
Chickering	Havens	Pitcher	Travis
Childs	Hayes	Potter	Tully
Clowes	Howland	Potts	Tuthill, H. H.
Comstock	Hurd	Rhodes	Tuttle, R. M.
Congdon	Husted	Roberts	Varnum
Cookinham	Hynes	Root	Walsh
Cullinan	Ingersoll	Russell	Wells, D. A.
Curtis	Lindsay	Sanders	Mr. Speaker
Cushing			

Those who voted in the negative, were

Cohen	Crapser	Ellis
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*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Bridges, from the committee on public printing, to which was referred the resolution to print copies of the Auditor's Expenditure Report, reported in favor of the adoption of the following resolution:

*Resolved* (if the Senate concur), That of the Auditor's Expenditure Report, for the fiscal year ending 30th September, 1879, there be printed 500 copies for the use of the Auditor's Department, and 500 copies for the use of the Legislature.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, as follows:

{ AYES 81 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Lindsay	Sherman
Andrews	Douglass	Low	Shuit
Ash	Duguid	McAvoy	Sipp
Baker, B. F.	Ellis	McDonald	Sisson
Beach	Ferris	Mead	Skinner
Benedict, E. D.	Fish	Mitchell	Slingerland
Benedict, T. E.	Fitzgerald	Nowlan	Steele
Bradley	Gibbs	O'Brien	Strait
Bridges	Gillette	O'Connor	Terpeny
Brodsky	Gray	Parker	Titus
Carpenter, E. A.	Griggs	Phillips	Tully
Carpenter, I. S.	Grosse	Pitcher	Tuthill, H. H.
Catlin	Gwinup	Potter	Tuttle, R. M.
Chamberlain	Havens	Potts	Varnum
Chase	Hayes	Rhodes	Walsh
Chickering	Howland	Root	Warner
Clark	Husted	Russell	Wells, J. L.
Cookinham	Hynes	Sanders	Weston
Cullinan	Ingersoll	Seeley	Youngs
Curtis	Lefever	Sheridan	Mr. Speaker
Cushing			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Chickering, from the committee on game laws, to which was referred the bill introduced by Mr. Morgan (introductory No. 258), entitled "An act for the preservation of fish in Cool brook in the town of Wellsville, in the county of Allegany," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Chickering, from the committee on game laws, to which was referred the bill introduced by Mr. Husted (introductory No. 15), entitled "An act to amend chapter 434 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Weston, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Havens (introductory No. 19), entitled "An act to amend chapter 161 of the Laws of 1859, entitled 'An act to erect the village of Middleburgh into a separate road district, and the several acts amendatory thereof,'" reported in favor

of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Ingersoll presented a petition of citizens of Chautauqua county, for the establishment of State reformatories for women; which was read and referred to the committee on State prisons.

Mr. Clowes presented a petition in relation to Riker avenue, in Long Island City; which was read and referred to the committee on affairs of cities.

Mr. Fiske presented a petition of Peter Cooper, Thurlow Weed and others, against the passage of an act to authorize the construction of an island upon Robbin's reef; which was read and referred to the committee on commerce and navigation.

Mr. E. A. Carpenter presented a petition of citizens of the towns of Southampton and Brookhaven, in Suffolk county, asking an appropriation by the State, for the purpose of opening an inlet through the South beach, from the Great South bay to the ocean in the eastern part of said bay; which was read and referred to the committee on ways and means.

Also, a petition for the passage of a law reducing the fees of the Sandy Hook and Hell Gate pilots to ante bellum rates; which was read and referred to the committee on commerce and navigation.

Mr. Root presented a petition of citizens of Hamilton and Clarkson, in Monroe county, for a lift or swing bridge over the Erie canal in the village of Brockport; which was read and referred to the committee on canals.

Mr. Youngs presented a petition of citizens of Queens county for separate prisons for women; which was read and referred to the committee on State prisons.

Mr. Childs presented a memorial of the local board of the State Normal School, at Cortland; which was read and referred to the committee on ways and means.

Mr. Bradley offered for the consideration of the House a resolution in the words following:

*Resolved*, That the judiciary committee be instructed and directed to prepare, and to report to this House within twenty days, a registry law applicable to all cities, to all incorporated villages, to all towns in which is a part or the whole of an incorporated village, and to all towns adjacent to any city.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Steele called from the table the resolution offered by him in the words following:

*Resolved* (if the Senate concur), That a special joint committee be constituted, to consist of three members of the Senate to be appointed by the Lieutenant-Governor, and five members of the Assembly, to be appointed by the Speaker, to consider the matter of a revision of the tax laws of this State, and of amendments thereto; also, the best method of taxation; said committee to report at as early a day as practicable in the present session.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Cullinan offered for the consideration of the House a resolution in the words following:

*Whereas*, The Hon. Leopold Morse has introduced a bill in Congress for the appointment of a commission on the commercial relations of the United States with Canada; and,

*Whereas*, The appointment and investigations of such a commission will tend to produce reciprocal benefits to both countries; therefore,

*Resolved* (if the Senate concur), That it is the sense of the Legislature of the State of New York, that Congress take early and favorable action on said bill.

*Ordered*, That the same be laid on the table.

Mr. Alvord offered for the consideration of the House a resolution in the words following:

*Resolved*, That there be printed 250 copies of the report of the Superintendent of the Onondaga Salt Springs, for the use of the superintendent.

*Ordered*, That said resolution be referred to the committee on public printing.

Mr. Alvord offered for the consideration of the House a resolution in the words following:

*Resolved*, That there be printed 250 copies of the report of the Trustees of the New York Asylum for Idiots, for the use of the trustees.

*Ordered*, That said resolution be referred to the committee on public printing.

Mr. Varnum moved to take from the table the motion to reconsider the vote by which the following resolution was lost:

*Resolved*, That power be granted to the committee on affairs of cities to hold sessions in the city of New York and Brooklyn, from time to time, not exceeding fifteen days in all, for the purpose of making inquiries or conducting investigations, as to the best methods for improving the street-cleaning system, and of reducing the burden of municipal taxation, if said committee shall deem that public business will be facilitated thereby, with further power to send for persons and papers, and, when deemed necessary, to employ a stenographer, at a compensation not exceeding 15 cents per folio.

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said resolution was lost, and it was determined in the affirmative, as follows:

{ AYES 80 }  
{ NOES 24 }

Those who voted in the affirmative, were

Andrews	Cushing	McAvoy	Sipp
Ash	Davis	McCarthy	Sisson
Baker, B. F.	Deane	McDonald	Skinner
Baker, C. S.	Douglass	McTernan	Slingerland
Beach	Duell	Mitchell	Talmadge
Benedict, E. D.	Duguid	Mooers	Terpeny
Brennan	Ferris	Newman	Terry
Brodsky	Fiske	O'Brien	Thilemann
Carpenter, E. A.	Fitzgerald	O'Connor	Titus

Catlin	Gillette	Phillips	Treanor
Chamberlain	Gorsline	Pitcher	Tully
Chase	Gray	Potter	Varnum
Chickering	Griggs	Potts	Walsh
Clancy	Grosse	Rhodes	Warner
Clowes	Hurd	Roberts	Wells, D. A.
Comstock	Husted	Root	Wells, J. L.
Congdon	Ingersoll	Sanders	Weston
Crapsier	Lefever	Seeley	Wiley
Cullinan	Lindsay	Shanley	Youngs
Curtis	Low	Sheridan	Mr. Speaker

Those who voted in the negative, were

Alvord	Childs	Gwinup	Parker
Benedict, T. E.	Cohen	Havens	Peck
Bennett	Ellis	Howland	Sherman
Bradley	Evans	Hynes	Shuit
Bridges	Fish	Mead	Travis
Carpenter, I. S.	Gibbs	Nowlan	Tuthill, H. H.

Mr. Varnum moved to amend said resolution by adding at the end thereof, "but the total expense of said committee shall not, in any event, exceed the sum of \$300."

Mr. Russell moved to amend by striking out the word "Brooklyn," after the word "New York," and adding the words "or other cities of this State."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Varnum moved the previous question.

Mr. Speaker put the question "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the amendment offered by Mr. Varnum, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said resolution, as amended, and it was determined in the affirmative, as follows:

{ AYES 77 }  
{ NOES 17 }

Those who voted in the affirmative, were

Andrews	Cullinan	Low	Sipp
Ash	Curtis	McAvoy	Sisson
Baker, B. F.	Cushing	McCarthy	Steele
Baker, C. S.	Davis	McDonald	Terpeny
Beach	Deane	McTernan	Terry
Beates	Duell	Mitchell	Thilemann
Benedict, E. D.	Duguid	Moers	Titus
Benedict, T. E.	Fiske	Newman	Treanor
Brodsky	Fitzgerald	O'Brien	Tully
Bullock	Gillette	O'Connor	Tuttle, R. M.
Carpenter, E. A.	Gorsline	Parker	Varnum
Carpenter, I. S.	Gray	Pitcher	Walsh
Catlin	Griggs	Potter	Warner
Chase	Grosse	Potts	Wells, D. A.
Clancy	Hurd	Rhodes	Wells, J. L.
Clowes	Husted	Sanders	Weston
Comstock	Ingersoll	Seeley	Wiley

Congdon  
Cookinham  
Crapeer

Kennedy  
Lefever

Shanley  
Sheridan

Youngs  
Mr. Speaker

Those who voted in the negative, were

Alvord  
Chamberlain  
Childs  
Cohen  
Ellis

Evans  
Fish  
Gwinup  
Havens

Howland  
Nowlan  
Peck  
Root

Sherman  
Skinner  
Travis  
Tuthill, H. H.

When the name of Mr. Hayes was called, he asked to be and was excused from voting.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act to authorize the completion of a bridge over the Erie canal in the city of Buffalo."

"An act to authorize the State Comptroller to dispose of United States securities held by him for various trust funds, and to reinvest the proceeds from sales of said securities."

"An act to provide for the payment to the treasurer of Kings county of the amount of State and county taxes annually raised by the city of Brooklyn."

"An act to amend chapter 279 of the Laws of 1868, entitled 'An act to incorporate the Public Exchange.'"

"An act to amend chapter 50 of the Laws of 1824, entitled 'An act relating to hackney coaches and carriages in the city of New York.'"

"An act in relation to the public buildings and grounds belonging to Erie county and the city of Buffalo."

"An act to regulate the examinations and reports of fire and fire and inland navigation insurance companies."

"An act to regulate the depositing of securities by insurance companies with the Superintendent of the Insurance Department."

"An act in relation to the rights and liabilities of married women."

"An act to amend chapter 249 of the Laws of 1879, entitled 'An act in relation to the acknowledgment by married women of deeds and other written instruments.'"

"An act to create a board of equalization in the county of Oneida."

"An act to amend chapter 290 of the Laws of 1879, entitled 'An act to amend chapter 149 of the Laws of 1874, entitled 'An act to amend an act, passed April 27, 1872, entitled 'An act to amend chapter 657 of the Laws of 1871, entitled 'An act to amend an act, passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed April 20, 1871.'"

"An act to ascertain the citizens of the various towns of Kings county, who shall be entitled to the right of suffrage therein."

The Senate returned the Senate bill entitled "An act to authorize the president, treasurer, and secretary of any railroad company to issue certificates of stock in certain cases after a foreclosure and sale of the property and franchises of the corporation," with a message that they have concurred in the amendments therein made in the Assembly.

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.



Pursuant to ninth joint rule, Mr. Speaker announced order of business, third reading of bills.

The bill entitled "An act to authorize the completion of a bridge over the Erie canal in the city of Buffalo," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Congdon	Husted	Seeley
Andrews	Cookinham	Ingersoll	Shuit
Ash	Crapser	Lefever	Sipp
Baker, B. F.	Oullinan	Lindsay	Sisson
Baker, C. S.	Cushing	Low	Skinner
Beach	Davis	McAvoy	Tallmadge
Beates	Deane	McCarthy	Terpeny
Benedict, E. D.	Duell	McDonald	Terry
Brodsky	Duguid	McTernan	Thilemann
Bullock	Ellis	Mitchell	Titus
Carpenter, E. A.	Evans	Mooers	Travis
Carpenter, I. S.	Ferris	Morgan	Treanor
Case	Fish	Newman	Tully
Catlin	Fitzgerald	Nowlan	Tuthill, H. H.
Chamberlain	Gibbs	O'Brien	Tuttle, R. M.
Chickering	Gillette	O'Connor	Varnum
Childs	Gray	Pitcher	Wells, D. A.
Clancy	Grosce	Potts	Wells, J. L.
Clowes	Hayes	Root	Weston
Cohen	Howland	Sanders	Mr. Speaker
Comstock	Hurd		

Those who voted in the negative, were

Curtis

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the State Comptroller to dispose of United States securities held by him for various trust funds, and to reinvest the proceeds from sales of said securities," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 97 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Congdon	Hynes	Shanley
Andrews	Cookinham	Ingersoll	Sheridan
Ash	Crapser	Kennedy	Sherman
Baker, B. F.	Cullinan	Lefever	Shuit
Baker, C. S.	Cushing	Lindsay	Sipp
Beates	Deane	Low	Sisson
Benedict, E. D.	Douglass	McAvoy	Skinner

Bennett	Duell	McCarthy	Slingerland
Bradley	Duguid	Mead	Tallmadge
Brennan	Evans	Mitchell	Terpeny
Bridges	Ferris	Moore	Terry
Brodeky	Fiske	Morgan	Thilemann
Bullock	Fitzgerald	Newman	Titus
Carpenter, E. A.	Gibbs	Nowlan	Travis
Carpenter, I. S.	Gillette	O'Brien	Treanor
Case	Goraline	O'Connor	Tully
Catlin	Gray	Parker	Tuthill, H. H.
Chamberlain	Grosse	Pitcher	Tuttle, R. M.
Chase	Gwinup	Potter	Varnum
Chickering	Hagan	Potts	Warner
Childs	Havens	Root	Wells, D. A.
Clark	Howland	Russell	Wells, J. L.
Clowes	Hurd	Sanders	Wiley
Cohen	Husted	Seeley	Youngs
Comstock			

Those who voted in the negative, were

Ellis

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the payment to the treasurer of Kings county of the amount of State and county taxes annually raised by the city of Brooklyn," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Comstock	Grosse	Root
Ash	Congdon	Gwinup	Russell
Baker, C. S.	Cookinham	Havens	Sisson
Beach	Craper	Hurd	Skinner
Beates	Cullinan	Kennedy	Steele
Benedict, E. D.	Curtis	Lefever	Tallmadge
Benedict, T. E.	Cushing	Lindsay	Terpeny
Brennan	Davis	McAvoy	Terry
Bridges	Deane	McCarthy	Thilemann
Brodeky	Douglass	McDonald	Titus
Bullock	Duell	McTernan	Travis
Carpenter, E. A.	Duguid	Mitchell	Treanor
Carpenter, I. S.	Ellis	Nowlan	Tully
Catlin	Evans	O'Brien	Tuthill, H. H.
Chamberlain	Ferris	O'Connor	Tuttle, R. M.
Chickering	Fish	Parker	Warner
Childs	Fiske	Phillips	Wells, D. A.
Clark	Fitzgerald	Pitcher	Wells, J. L.
Clowes	Gibbs	Potts	Wiley
Cohen	Gray		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to in-

corporate the Public Exchange,' passed April 22, 1868," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Ash	Cohen	Gwinup	Sanders
Baker, C. S.	Comstock	Hagan	Seeley
Beach	Congdon	Havens	Sherman
Beates	Costello	Husted	Sipp
Benedict, E. D.	Crapser	Ingersoll	Sisson
Benedict, T. E.	Cullinan	Lefever	Slingerland
Bennett	Cushing	Lindsay	Steele
Brennan	Davis	McAvoy	Tallmadge
Bridges	Douglass	McCarthy	Terpeny
Brodsky	Duguid	McTernan	Terry
Bullock	Ellis	Mead	Titus
Carpenter, E. A.	Evans	Mitchell	Travis
Carpenter, I. S.	Ferris	Nowlan	Tuthill, H. H.
Catlin	Fish	O'Brien	Tuttle, R. M.
Chamberlain	Fiske	O'Connor	Varnum
Chickering	Fitzgerald	Parker	Walsh
Childs	Gibbs	Phillips	Warner
Clancy	Gorsline	Potts	Wells, D. A.
Clark	Gray	Root	Wiley
Clowes	Grosse	Russell	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 50 of the Laws of 1824, entitled 'An act relating to hackney coaches and carriages in the city of New York,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 77 }  
{ NOES 00 }

Those who voted in the affirmative, were

Ash	Curtis	Hurd	Sherman
Baker, C. S.	Cushing	Husted	Sipp
Beach	Davis	Hynes	Sisson
Benedict, T. E.	Douglass	Ingersoll	Skinner
Bennett	Duell	Lefever	Tallmadge
Bradley	Duguid	Lindsay	Terpeny
Brennan	Ellis	Low	Terry
Bridges	Evans	McAvoy	Thilemann
Brodsky	Ferris	Mitchell	Titus
Bullock	Fish	Morgan	Travis
Carpenter, E. A.	Fitzgerald	Newman	Treanor
Carpenter, I. S.	Gibbs	O'Brien	Tuthill, H. H.
Chamberlain	Gillette	O'Connor	Tuttle, R. M.
Childs	Gorsline	Parker	Varnum
Cohen	Gray	Potts	Walsh

Comstock	Grosse	Root	Warner
Congdon	Hagan	Sanders	Wells, D. A.
Cookinham	Havens	Seeley	Wells, J. L.
Crapeer	Howland	Shanley	Wiley
Cullinan			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to the public buildings and grounds belonging to Erie county and the city of Buffalo," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Gray	O'Brien
Ash	Cookinham	Griggs	O'Connor
Baker, C. S.	Cullinan	Grosse	Parker
Beach	Curtis	Gwinup	Peck
Benedict, E. D.	Cushing	Hagan	Potts
Benedict, T. E.	Davis	Havens	Root
Bradley	Deane	Howland	Russell
Brennan	Douglass	Hurd	Seeley
Bridges	Duell	Husted	Shanley
Brodsky	Duguid	Hynes	Sipp
Bullock	Ellis	Ingersoll	Skinner
Carpenter, E. A.	Evans	Lindsay	Slingerland
Carpenter, I. S.	Ferrie	Low	Terry
Chamberlain	Fish	McAvoy	Titus
Chickering	Fiske	McDonald	Tuthill, H. H.
Childs	Fitzgerald	McTernan	Tuttle, R. M.
Clancy	Gibbs	Mead	Varnum
Clark	Gillette	Mitchell	Wells, D. A.
Clowes	Gorsline	Nowlan	Wiley
Comstock			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to regulate the examinations and reports of fire, and fire and inland navigation insurance companies," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 77 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Lefever	Shuit
Ash	Cookinham	Lindsay	Sipp
Baker, C. S.	Crapeer	Low	Sisson
Beach	Cullinan	McAvoy	Skinner
Beates	Curtis	McDonald	Slingerland
Benedict, E. D.	Cushing	Mead	Steele

Benedict, T. E.	Davis	Mitchell	Terpeny
Bradley	Douglass	Nowlan	Terry
Brennan	Duguid	O'Connor	Thilemann
Bridges	Fitzgerald	Parker	Titus
Brodsky	Gibbs	Phillips	Travis
Bullock	Gillette	Pitcher	Tully
Carpenter, E. A.	Gorsline	Potter	Tuthill, H. H.
Carpenter I. S.	Gray	Potts	Tuttle, R. M.
Chamberlain	Grosse	Root	Varnum
Chickering	Howland	Russell	Warner
Clark	Hynes	Sanders	Wells, D. A.
Clowes	Ingersoll	Shanley	Wells, J. L.
Cohen	Kennedy	Sherman	Wiley
Comstock			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to regulate the depositing of securities by insurance companies with the Superintendent of the Insurance Department," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 84 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Husted	Sherman
Andrews	Cookinham	Hynes	Shuit
Baker, C. S.	Crapser	Ingersoll	Sipp
Beach	Curtis	Lefever	Sisson
Beates	Cushing	Lindsay	Skinner
Benedict, E. D.	Davis	McAvoy	Slingerland
Benedict, T. E.	Deane	McDonald	Tallmadge
Bennett	Douglass	McTernan	Terpeny
Bradley	Ellis	Mitchell	Terry
Bridges	Evans	Nowlan	Thilemann
Brodsky	Ferris	O'Brien	Titus
Bullock	Fish	O'Connor	Travis
Carpenter, E. A.	Fiske	Parker	Treanor
Carpenter, I. S.	Fitzgerald	Phillips	Tully
Catlin	Gibbs	Potter	Tuthill, H. H.
Chase	Gillette	Potts	Tuttle, R. M.
Chickering	Gorsline	Root	Varnum
Clark	Gwinup	Russell	Warner
Clowes	Havens	Sanders	Wells, D. A.
Cohen	Howland	Seeley	Wells, J. L.
Comstock	Hurd	Shanley	Wiley

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to the rights and liabilities of married women," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 83 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Comstock	Howland	Sherman
Andrews	Congdon	Husted	Shuit
Ash	Cookinham	Hynes	Sipp
Baker, C. S.	Crafts	Ingersoll	Sisson
Beach	Crapser	Kennedy	Skinner
Beates	Cullinan	Lindsay	Slingerland
Benedict, E. D.	Cushing	McAvoy	Steele
Benedict, T. E.	Davis	McDonald	Tallmadge
Bradley	Deane	McTernan	Terpeny
Bridges	Douglass	Mead	Terry
Brodsky	Duguid	Newman	Thilemann
Bullock	Ellis	Nowlan	Travis
Carpenter, E. A.	Evans	O'Connor	Treanor
Carpenter, I. S.	Ferris	Parker	Tully
Catlin	Fish	Phillips	Tuthill, H. H.
Chase	Gibbs	Potts	Varnum
Chickering	Gillette	Root	Warner
Childs	Grosse	Russell	Waterbury
Clark	Gwinup	Sanders	Wells, D. A.
Clowes	Hagan	Seeley	Youngs
Cohen	Havens	Shanley	

Those who voted in the negative, were

Potter

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 249 of the Laws of 1879, entitled 'An act in relation to the acknowledgment by married women of deeds and other written instruments,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Andrews	Crapser	Ingersoll	Shuit
Ash	Cullinan	Kennedy	Sipp
Baker, C. S.	Cushing	Lefever	Sisson
Beach	Davis	Low	Skinner
Beates	Douglass	McAvoy	Slingerland
Benedict, E. D.	Evans	McCarthy	Steele
Bradley	Ferris	Mitchell	Tallmadge
Bridges	Fish	Morgan	Terpeny
Brodsky	Fitzgerald	Newman	Terry
Carpenter, E. A.	Gibbs	Nowlan	Thilemann
Carpenter, I. S.	Gillette	O'Brien	Titus
Catlin	Gorsline	O'Connor	Travis
Chase	Gray	Parker	Tully
Chickering	Grosse	Pitcher	Tuthill, H. H.
Clancy	Gwinup	Potter	Tuttle, R. M.
Clark	Hagan	Potts	Varnum
Clowes	Havens	Root	Warner

Cohen	Howland	Russell	Wells, D. A.
Comstock	Hurd	Sanders	Wells, J. L.
Congdon	Husted	Shanley	Youngs
Cookinham	Hynes	Sherman	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to create a board of equalization in the county of Oneida," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }  
{ NOES 9 }

Those who voted in the affirmative, were

Andrews	Cookinham	Ingersoll	Sherman
Ash	Crapsier	Kennedy	Shuit
Baker, C. S.	Cullinan	Lefever	Sipp
Beach	Davis	Lindsay	Sisson
Beates	Deane	McAvoy	Skinner
Benedict, E. D.	Douglass	McDonald	Slingerland
Benedict, T. E.	Duell	McTernan	Steele
Bradley	Duguid	Mitchell	Strait
Brennan	Ellis	Morgan	Tallmadge
Bridges	Evans	Newman	Terpeny
Brodsky	Fish	Nowlan	Terry
Bullock	Fitzgerald	O'Brien	Titus
Carpenter, E. A.	Gibbs	Parker	Travis
Carpenter, I. S.	Gillette	Phillips	Tully
Case	Gorsline	Pitcher	Tuthill, H. H.
Catlin	Gray	Potter	Varnum
Chamberlain	Grosse	Potts	Warner
Chase	Gwinup	Root	Wells, D. A.
Chickering	Hagan	Russell	Wells, J. L.
Clark	Havens	Sanders	Weston
Clowes	Howland	Seeley	Wiley
Comstock	Husted	Shanley	Youngs
Congdon	Hynes		

Those who voted in the negative, were

Alvord	Cushing	O'Connor	Treanor
Cohen	McCarthy	Thilemann	Walsh
Curtis			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 290 of the Laws of 1879, entitled 'An act to amend chapter 149 of the Laws of 1874, entitled 'An act to amend an act, passed April 27, 1872, entitled 'An act to amend chapter 657 of the Laws of 1871, entitled 'An act to amend an act, passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed April 20, 1871," being announced for a third reading, Mr. Alvord moved to recommit said bill to the committee on trade and manufactures, with instructions to strike out enacting clause.

Mr. Wells moved to recommit said bill to the committee on trade

and manufactures for purpose of an amendment, said bill retaining its place on order of third reading.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Wells, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Alvord, as amended, and it was determined in the affirmative.

The bill entitled "An act to ascertain the citizens of the various towns of Kings county, who shall be entitled to the right of suffrage therein," being announced for a third reading, Mr. Shanley moved to recommit said bill to the committee on the judiciary, with instructions to amend said bill in words following: Strike out the word "Brooklyn" and insert in lieu thereof "towns and counties of the State."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Shanley, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 26 }

Those who voted in the affirmative, were

Ash	Crapser	Kennedy	Sipp
Baker, C. S.	Cullinan	Lefever	Sisson
Beach	Curtis	Lindsay	Skinner
Beates	Davis	Low	Slingerland
Bradley	Douglass	Mitchell	Steele
Brennan	Duell	Morgan	Tallmadge
Bridges	Duguid	Nowlan	Terpeny
Brodsky	Evans	O'Brien	Terry
Bullock	Ferris	Phillips	Titus
Carpenter, E. A.	Fish	Pitcher	Travis
Carpenter, I. S.	Fiske	Potter	Tuthill, H. H.
Case	Gillette	Potts	Tuttle, R. M.
Chase	Gorsline	Roberts	Varnum
Chickering	Gray	Root	Warner
Childs	Griggs	Russell	Wells, D. A.
Clark	Grosse	Sanders	Wells, J. L.
Clowes	Hayes	Seeley	Weston
Comstock	Howland	Sherman	Youngs
Congdon	Husted	Shuit	Mr. Speaker
Cookinham	Ingersoll		

Those who voted in the negative, were

Alvord	Fitzgerald	McTernan	Shanley
Benedict, T. E.	Gibbs	Mead	Thilemann
Catlin	Gwinup	Newman	Treanor
Clancy	Hagan	O'Connor	Tully
Cohen	Havens	Parker	Walsh
Cushing	McAvoy	Rhodes	Wiley
Ellis	McCarthy		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Hayes moved that the time of this session be extended for the purpose of taking up order of business, motions and resolutions.



Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Hayes offered for the consideration of the House a resolution in the words following:

*Resolved*, That the board of fire commissioners of the city of New York be and are hereby requested to inform this House, within ten days, or as soon thereafter as may be practicable, what legislation, if any, may, in their opinion, be needed for the better protection of life and property in stores, tenement houses and other places where large numbers of working people are collected together at an elevation beyond the reach of the present appliances of the fire department, and from which places escape is not practicable in the event of fire.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Skinner offered for the consideration of the House a resolution in the words following:

*Resolved*, That there be printed for the use of the Legislature 10,000 copies of the report of the special committee on railroads, at a cost not to exceed \$674, including paper covers, the same to be equitably distributed among the members of the Legislature for distribution among the people of the State.

Said resolution giving rise to debate,

*Ordered*, That the same be laid upon the table.

On motion of Mr. Alvord, and at 2 o'clock and 10 minutes, the House adjourned.

## THURSDAY MORNING, FEBRUARY 5, 1880.

The House met pursuant to adjournment.

Prayer by the Rev. Clarence Eddy, of Troy.

The journal of yesterday was read and approved.

Privileges of the floor were granted to Hon. Titus Sheard, Hon. Mr. Clapp, Hon. Charles Trowbridge, Hon. Mr. Kendall, and Hon. Dr. Carpenter.

Leave of absence was granted to Mr. Potter.

The Senate sent for concurrence the resolution in the words following:

*Resolved* (if the Assembly concur), That 1,000 copies of the annual report of the Auditor of the Canal Department, for the fiscal year ending 25th September, 1879, be printed for the use of the Legislature and 600 copies thereof for the use of the Auditor of the Canal Department.

*Ordered*, That said resolution be referred to the committee on public printing.

Indefinite leave of absence was granted to Mr. Warner.

Mr. Griggs introduced a bill entitled "An act to amend an act entitled "An act for the better prevention of the procurement of abortions and other like offenses and to amend the laws relative thereto, passed April 6, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Pitcher introduced a bill entitled "An act to amend chapter 287 of the Laws of 1879, entitled 'An act to provide for the formation

of county and town co-operative insurance companies,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Weston (by request) introduced a bill entitled "An act to establish a special road district and to appropriate the highway taxes on the non-resident lands therein for the construction of road from Blood's hotel in Harrietstown, Franklin county, to Tupper's lake in the county of Franklin," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Brodsky introduced a bill entitled "An act to amend chapter 590 of the Laws of 1872, entitled 'An act to regulate processions and parades in the cities of the State of New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. James L. Wells introduced a bill entitled "An act relative to common schools in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Terpeny (by request), introduced a bill entitled "An act to authorize the taxation of oyster beds in the bays, rivers and waters of this State and all floating property connected therewith," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Cookinham introduced a bill entitled "An act to authorize the Superintendent of Public Works to construct a lift, hoist, swing or draw bridge over the Erie canal upon Genesee street in the city of Utica," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Youngs (by request) introduced a bill entitled "An act entitled 'An act to authorize the town of Flushing in Queens county to borrow money and issue bonds therefor for the purpose of paying the indebtedness of said town,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Beach introduced a bill entitled "An act to fix the rate for commuting assessments of highway labor in towns," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges. Accompanied by a petition on the same subject.

Mr. Hoffman introduced a bill entitled "An act in relation to the equalization of taxes and assessments in the county of Chemung," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Childs introduced a bill entitled "An act in relation to the appointment of Stanley M. Bierce as a notary public," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Childs, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a

majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Hurd	Sheridan
Andrews	Crapser	Hynes	Sherman
Baker, B. F.	Curtis	Ingersoll	Shuit
Beach	Cushing	Lefever	Skinner
Beates	Davis	Low	Slingerland
Benedict, E. D.	Deane	McAvoy	Tallmadge
Benedict, T. E.	Duell	McDonald	Terpeny
Brennan	Duguid	McTernan	Terry
Bridges	Ellis	Mitchell	Tormey
Bullock	Ferris	Morgan	Travis
Carpenter, I. S.	Fitzgerald	Newman	Treanor
Case	Gibbs	O'Connor	Tully
Catlin	Gillette	Parker	Tuttle, R. M.
Chase	Gorsline	Peck	Varnum
Chickering	Gray	Phillips	Warner
Childs	Griggs	Pitcher	Waterbury
Clark	Grosse	Potter	Wells, J. L.
Clowes	Gwinup	Root	Weston
Cohen	Havens	Russell	Youngs
Comstock	Hoffman	Sanders	Mr. Speaker
Congdon	Howland	Shanley	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Potter introduced a bill entitled "An act to amend chapter 374 of the Laws of 1876, entitled 'An act to amend section 9 of chapter 567 of the Laws of 1875, entitled 'An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Bradley moved that bill No. 96, entitled "An act for the relief of the Manhattan Savings Institution of the city of New York, and to authorize the city of Yonkers to issue bonds for certain purposes," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

This being the day assigned, under the rule, for the consideration of general orders,

Mr. Alvord moved that bill No. 65, entitled "An act to make the office of supervisor in the county of Onondaga a salaried office, and to provide for the appointment and compensation of other officers of said board," be recommitted to the committee on internal affairs, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Varnum moved that bills Nos. 58 and 59, entitled "An act to provide for cleaning the streets in the city of New York," and "An act to provide for the cleaning the streets of the city of New York,

the collection of the ashes, garbage and street sweepings of the city, and the disposition of the materials," be recommitted to the committee on affairs of cities, not retaining their place on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Bradley moved that bill No. 63, entitled "An act to provide for appeals from the audit of bills by the boards of town auditors in certain cases," be recommitted to the committee on internal affairs, not retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act to extend the charter of the 'Central City Railway,' organized under and in pursuance of chapter 483 of the Laws of 1859."

"An act to exempt the town of Guilford, Chenango county, from the provisions and operations of chapter 175 of the Laws of 1870, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties.'"

"An act for the relief of the Manhattan Savings Institution of the city of New York, and to authorize the city of Yonkers to issue bonds for certain purposes."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Chase, from said committee, reported in favor of the passage of the first named bill, with amendments, and title amended by inserting after the word "railway" the word "company," which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Chase, from said committee, also reported in favor of the passage of the second named bill, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Chase, from said committee, also reported progress on the last named bill, and asked and obtained leave to sit again.

By unanimous consent,

Mr. C. S. Baker, from the committee on insurance, to which was referred the bill introduced by Mr. Seeley (introductory No. 354), entitled "An act to change the name of the Knickerbocker Casualty Insurance Company of New York," reported in favor of the passage of the same with amendments, and the title amended so as to read "An act to authorize the Knickerbocker Casualty Insurance Company of New York to change the name thereof to 'The Fidelity and Casualty Insurance Company of New York,'" which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. C. S. Baker, from the committee on insurance, to which was referred the bill introduced by Mr. Phillips (introductory No. 169), entitled "An act to amend chapter 287 of the Laws of 1879, entitled 'An act to provide for the formation of county and town co-operative insurance companies,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. C. S. Baker introduced a bill entitled "An act to amend chapter 151 of the Laws of 1873, entitled 'An act for the relief of stockholders of corporations whose certificates of stock have been lost or

destroyed,' passed March 27, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent,

Mr. Warner, from the committee on trade and manufactures, to which was referred the bill introduced by Mr. Grosse (introductory No. 67), entitled "An act to improve the public health in the city of New York and the city of Brooklyn, by regulating the manufacture of cigars in the tenement houses of said cities," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Speaker stated that hereafter on general orders days he would go through order of business, introduction of bills and reports of committees before taking up the order of business on general orders.

Mr. Hurd, from the committee on canals, to which was referred the bill introduced by Mr. Cullinan (introductory No. 232), entitled "An act to provide for the construction of fishways in the State dams across the Oswego, Oneida and Seneca rivers," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Bridges, from the committee on general laws, to which was referred the bill introduced by Mr. Bradley (introductory No. 198), entitled "An act to repeal section 16 of chapter 143 of the Laws of 1874, entitled 'An act to authorize the formation of corporations for the erection and keeping of hotels, and to supplement chapter 371 of the Laws of 1866, entitled 'An act to extend the operation and effect of the act, passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Hurd, from the committee on canals, to which was referred the Senate bill (introductory No. 26), entitled "An act to authorize the construction of a bridge over the Erie canal at Tonawanda," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Comstock (introductory No. 374), entitled "An act to amend chapter 126 of the Laws of 1873, entitled 'An act to organize a board of school commissioners in and for the city of Troy,' passed March 25, 1873, and the several acts amendatory thereof," reported said bill for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Comstock (introductory No. 370), entitled "An act to establish and maintain a police force in the city of Troy," reported said bill for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

Mr. Skinner, from the committee on railroads, to which was referred the bill introduced by Mr. Cullinan (introductory No. 341), entitled "An act to authorize the city of Oswego and the town of Volney, in the county of Oswego, to sell capital stock in the New York and

Oswego Midland Railroad Company," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Cullinan, and by unanimous consent, the committee of the whole was discharged from the further consideration of said bill, and the same ordered to a third reading.

On motion of Mr. Cookinham, and by unanimous consent, said bill was amended in the words following:

Section line 1, after the word "and" insert "all;" line 2, strike out "of Volney in the county of Oswego," and insert "Vienna in the county of Oneida." Sec. line 1, after word "the" insert "various;" line 2, strike out words "of Volney" after word "Oswego" and insert "and the towns of Vienna in the county of Oneida."

Mr. Cullinan moved to recommit said bill to the committee on railroads, with instructions to amend said bill in words following and report forthwith: Line 20, section 3, strike out the words "said county of Oswego," and insert "the county in which said towns or either of them may be situated;" and amend the title by striking out "of Volney" and insert "the town of Vienna in the county of Oneida."

Mr. Skinner, from the committee on railroads, reported back said bill amended as instructed by the House.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Howland	Shuit
Andrews	Crapsier	Husted	Sipp
Baker, B. F.	Cullinan	Hynes	Sisson
Baker, C. S.	Cushing	Ingersoll	Skinner
Beach	Davis	Lefever	Slingerland
Beates	Dougherty	McAvoy	Steele
Benedict, E. D.	Douglass	McCarthy	Tallmadge
Benedict, T. E.	Duell	McTernan	Terpeny
Bennett	Duguid	Mead	Terry
Bradley	Ellis	Mooers	Thilemann
Brennan	Evans	Newman	Titus
Bridges	Ferris	O'Connor	Tormey
Brodsky	Fish	Parker	Travis
Bullock	Fitzgerald	Peck	Tully
Carpenter, E. A.	Gibbs	Pitcher	Tuthill, H. H.
Carpenter, I. S.	Gillette	Potts	Tuttle, R. M.
Catlin	Gorsline	Roberts	Varnum
Chamberlain	Gray	Russell	Warner
Chase	Gwinup	Sanders	Waterbury
Childs	Havens	Seeley	Wells, D. A.
Clowes	Hoffman	Shanley	Wells, J. L.
Congdon			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Sanders, from the committee on affairs of villages, to which

was referred the Senate bill (introductory No. 12), entitled "An act to authorize the Attica Water Company to purchase, hold, operate and maintain the gas-works, pipes, fixtures, machinery and real estate used in connection therewith, now in the village of Attica, Wyoming county, New York," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Miller (introductory No. 331), entitled "An act to amend chapter 435 of the Laws of 1868, entitled 'An act to incorporate the village of Hamilton in the county of Madison, and to repeal its present charter,' as amended by chapter 166 of the Laws of 1877, and by chapter 19 of the Laws of 1878," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Beates (introductory No. 241), entitled "An act to amend chapter 127 of the Laws of 1860, entitled 'An act to organize a fire department in the village of Delhi, Delaware county,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Chase (introductory No. 293), entitled "An act to further amend the charter of the village of Cooperstown in the county of Otsego," reported in favor of the passage of the same which report was agreed to and said bill committed to the committee of the whole.

Mr. Curtis, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Beates (introductory No. 107), entitled "An act to amend section 3 of chapter 176 of the Laws of 1876, entitled 'An act supplementary to chapter 60 of the Laws of 1813, entitled 'An act to provide for the incorporation of religious societies, and the acts supplementary thereto,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Curtis, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Childs (introductory No. 259), entitled "An act to provide for the preservation and use of the leases of gospel and school lots," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Curtis, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Hurd (introductory No. 308), entitled "An act to authorize trustees of religious corporations to arrest persons disturbing religious meetings," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Curtis, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Case (introductory No. 280), entitled "An act to revive the Gypsum Cemetery Association," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Curtis, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Phillips (introductory

No. 233), entitled "An act to incorporate the Grand Legion of Select Knights of the Ancient Order of United Workmen," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Curtis, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Roberts (introductory No. 2S2), entitled "An act to regulate the location of future burial grounds or cemeteries within the city of Buffalo," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sherman moved to take from the table the adverse report on the bill entitled "An act to repeal chapter 374 of the Laws of 1876, entitled 'An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction.'"

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Young moved the previous question, on agreeing to said adverse report.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said adverse report, and it was determined in the negative.

*Ordered*, That said bill be committed to the committee of the whole.

Mr. Husted moved to discharge the committee of the whole from the further consideration of the bill entitled "An act for the relief of the Manhattan Savings Institution of the city of New York, and to authorize the city of Yonkers to issue bonds for certain purposes," and said bill be ordered to a third reading and reprinted.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend section 1, title 4, chapter 17, part 1 of the Revised Statutes, relating to the licensing of hawkers and peddlers."

"An act for the better protection of the traveling public."

"An act to repeal chapter 515 of the Laws of 1879, entitled 'An act to amend chapter 625 of the Laws of 1875, entitled 'An act in relation to courts of record in the city and county of New York.'"

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Evans, from said committee, reported in favor of the passage of the first and second named bills, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Evans, from said committee, also reported in favor of the passage of the last named bill, which report was agreed to, and the same ordered engrossed for a third reading.

By unanimous consent,

Mr. Tallmadge introduced a bill entitled "An act to amend chapter 107 of the Laws of 1879, entitled 'An act in relation to the Superintendent of State Prisons, and for the more efficient and economical management of said prisons,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State prisons.

The House again resolved itself into a committee of the whole on the bills entitled as follows :



"An act to amend an act entitled 'An act to revise and consolidate the general acts relating to public instruction,' passed May 2, 1864."

"An act to abolish the use of weigh-locks on the canals."

"An act to amend an act entitled 'An act to consolidate the several school districts in the town of Grand Island, Erie county, and to provide for a board of education therein,' passed April 26, 1879."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Shanley, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Shanley, from said committee, also reported in favor of the passage of the second and last named bills, which report was agreed to, and the same ordered engrossed for a third reading.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend chapter 863 of the Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn,' passed June 28, 1873."

"An act to forbid discriminations in school offices on account of sex."

"An act to provide for the improvement and care of private parks in the several cities in this State."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Bridges, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Bridges, from said committee, also reported progress on the last named bill, and asked and obtained leave to sit again.

By unanimous consent,

Mr. Catlin presented petitions relative to the reduction of fares on the New York, New Haven and Hartford Railroad, which was read and referred to the committee on railroads.

The Senate returned the bill entitled "An act to authorize the sale by towns and villages in the counties of Chenango, Delaware, Madison, Ulster and Sullivan, and the towns of Edmeston and Pittsfield, in the county of Otsego, of capital stock in railroad companies," with a message that they have concurred in the passage of the same without amendment.

*Ordered*, That the Clerk deliver said bill to the Governor.

Privileges of the floor were granted to Hon. Mr. Day, former member of this House.

On motion of Mr. Husted, and at 1 o'clock and 50 minutes, the House adjourned.

## FRIDAY MORNING, FEBRUARY 6, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Jungst.

The journal of yesterday was read and approved.

Privileges of the floor were granted to Hon. T. A. Nivens, former member of this House.

Leave of absence was granted to Mr. Tuthill.

The Senate sent for concurrence the bill entitled as follows:

"An act to authorize the common council of the city of Poughkeepsie to construct a building for recorder's court room, police headquarters, lock-up and city offices, and to provide means for the payment therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The Senate returned the bill entitled "An act to amend chapter 277 of the Laws of 1868, entitled 'An act to amend an act entitled 'An act to provide for the incorporation of villages,' passed December 7, 1847, and the several acts amending the same, so far as relates to the village of Baldwinsville, Onondaga county, with a message that they have concurred in the passage of the same without amendment.

*Ordered*, That the Clerk deliver said bill to the Governor. •

Mr. Slingerland introduced a bill entitled "An act further to amend section 2 of chapter 139 of the Laws of 1870, as amended by chapter 402 of the Laws of 1877, entitled 'An act to annex parts of the towns of Bethlehem and Watervliet, in the county of Albany, to the city of Albany, and to exempt such parts thereof from certain taxes, and to annex a part of the city of Albany to the town of Watervliet,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities. Accompanied by a petition on the same subject.

Mr. Tuthill introduced a bill entitled "An act to amend chapter 287 of the Laws of 1879, entitled 'An act to provide for the formation of county and town co-operative insurance companies,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Duell introduced a bill entitled "An act amending the Code of Civil Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill entitled "An act to provide for the publication of the names of referees, receivers, auditors, and other officers of courts in the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Alvord introduced a bill entitled "An act to amend chapter 371 of the Laws of 1877, entitled 'An act to provide for the introduction of an improved system of steam towages upon the canals of this State,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Case (by request) introduced a bill entitled "An act to amend chapter 256 of the Laws of 1877, entitled 'An act to conform the charters of all savings banks or institutions for savings to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for their supervision and for the administration of their affairs,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

Mr. Rhodes introduced "An act to amend chapter 121 of the Laws of 1835, entitled 'An act to incorporate the Young Men's Association,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill entitled "An act to incorporate the board of trustees of the fire department of the city of Troy," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Husted introduced a bill entitled "An act in relation to the office of commissioner of highways of the town of Stony Point," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, the bill entitled "An act in relation to the office of overseer of the poor of the town of Stony Point," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Hoffman presented a petition for the relief of Private Carl Meisner, a disabled guardsman; which was read and referred to the committee on claims.

Mr. Gwinup presented a petition in favor of a law prohibiting the hunting and driving of deer with dogs in the vicinity of Lake George in Warren county at all seasons of the year; which was read and referred to the committee on game laws.

Mr. Beates presented a remonstrance of members of the bar of Delaware county against an act limiting appeals on money judgments to the Court of Appeals to recovering of over \$1,000; which was read and referred to the committee on the judiciary.

Mr. Morgan presented a petition in relation to text-books and public schools; which was read and referred to the committee on public education.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Terry (introductory No. 338), entitled "An act in relation to receivers of insolvent corporations," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Terry (introductory No. 336), entitled "An act to amend section 430 of the Code of Procedure," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Mitchell (introductory No. 159), entitled "An act concerning the recording of assignments of mortgages," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Slingerland (introductory No. 100), entitled "An act to promote honest elections," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Congdon (introductory No. 361), entitled "An act allowing husbands and wives to take deeds and other conveyances of lands jointly, and to hold the premises so deeded or conveyed as joint tenants," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Brodsky (introductory No. 378), entitled "An act to amend the Code of Civil Procedure," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Congdon (introductory No. 358), entitled "An act allowing husbands and wives to deed and convey, sell, transfer and assign, any real or personal property, one to the other, directly, and to pass the same title to the property as if the parties were unmarried," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Hayes (introductory No. 125), entitled "An act concerning the powers of the Commissioners of the Land Office," reported adversely thereto, which report was agreed to.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Cullinan (introductory No. 278), entitled "An act to amend section 1176 of the Code of Civil Procedure, increasing the number of peremptory challenges in civil actions, from two to five," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. E. A. Carpenter (introductory No. 195), entitled "An act amending the Code of Civil Procedure," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Tuthill (introductory No. 72), entitled "An act to amend chapter 351 of the Laws of 1874, entitled 'An act to amend chapter 312 of the Laws of 1859, entitled 'An act to equalize the State tax among the several counties in the State, and to amend chapter 327 of the Laws of 1873, amendatory thereof,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 8), entitled "An act to amend chapter 176 of the Laws of 1879, entitled 'An act in relation to writs of error in behalf of the people in criminal cases,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Brodsky (introductory No. 386), entitled "An act to amend chapter 590 of the Laws of 1872, entitled 'An act to regulate processions and parades in the cities of the State of New York,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Hayes (introductory No. 57), entitled "An act to amend an act entitled 'An act to establish regulations for the port of New York,'" reported said bill for the considera-

tion of the House, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Cookinham (introductory No. 180), entitled "An act to divide the third and seventh wards of the city of Utica, and to create the eleventh and twelfth wards therein," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Cookinham (introductory No. 112), entitled "An act to establish a police and fire commission and official board in the city of Rome, and to amend and change in certain respects 'An act passed February 23, 1870, entitled 'An act to incorporate the city of Rome,'" reported said bill for the consideration of the House with amendments, and the title amended so as to read as follows: "An act further to amend chapter 25 of the Laws of 1870, entitled 'An act to incorporate the city of Rome,' and chapter 49 of the Laws of 1871 amendatory thereof, and to establish a board of police and fire commissioners," which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the Senate bill (introductory No. 7), entitled "An act to amend chapter 476 of the Laws of 1869, entitled 'An act to establish the office of receiver of taxes in the town of New Rochelle in the county of Westchester,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the Senate bill (introductory No. 61), entitled "An act to legalize the acts of certain town officers of the town of New Rochelle, and to authorize the issue of bonds by said town," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Low (introductory No. 330), entitled "An act to amend chapter 589 of the Laws of 1875, entitled 'An act to extend the powers of the trustees of the village of Wilson, in the county of Niagara,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. E. A. Carpenter (introductory No. 383), entitled "An act to amend the act entitled 'An act to revise, amend, and consolidate the several acts relating to the village of Sag Harbor,' passed April 18, 1861, and the several acts amendatory thereof," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Clark (introductory No. 349), entitled "An act to amend the charter of the village of Dunkirk," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.]

Mr. Sherman, from the committee on public education, to which was referred the bill introduced by Mr. Clark (introductory No. 27), en-

titled "An act to amend chapter 34 of the Laws of 1858, entitled 'An act to make school district No. 9 in the town of Pomfret a union free school district,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sherman, from the committee on public education, to which was referred the bill introduced by Mr. D. A. Wells (introductory No. 234), entitled "An act to amend section 2 of chapter 405 of the Laws of 1879, entitled 'An act to amend sections 2 and 10 of chapter 248 of the Laws of 1878, entitled 'An act in relation to the election of officers in certain school districts,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sherman, from the committee on public education, to which was referred the bill introduced by Mr. Griggs (introductory No. 346), entitled "An act in relation to the sale and the proceeds of sale of certain school property in the city of Albany," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sherman, from the committee on public education, to which was referred the Senate bill (introductory No. 24), entitled "An act to amend chapter 413 of the Laws of 1877, entitled 'An act to prevent frequent changes of text-books in schools,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Privileges of the floor were granted to Hon. C. A. Clark, former member of this House.

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 32), entitled "An act to authorize the police department or board of police of any city to appoint policemen of district telegraph companies," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Cookinham offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That there be printed of "The Centennial Celebrations of the State of New York" eight copies for each Senator and Member of the Assembly, and five copies for each officer and reporter of the Legislature.

*Ordered*, That said resolution be referred to the committee on public printing.

Mr. Fish called from the table a resolution previously offered by Mr. Skinner in words following:

*Resolved*, That there be printed, for the use of the Legislature, 20,000 copies of the report of the special committee on railroads, at a cost not to exceed thirteen hundred and forty-eight dollars (\$1,348), including paper covers, the same to be equitably distributed among the Members of the Legislature for distribution among the people of the State.

Mr. Alvord moved the previous question.

Mr. Speaker put the question "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative, as follows:

{ AYES 107 }  
{ NOES 3 }

Those who voted in the affirmative, were

Alvord	Curtis	Kennedy	Sheridan
Andrews	Cushing	Lefever	Sherman
Baker, B. F.	Davis	Lindsay	Shuit
Baker, C. S.	Deane	Low	Sipp
Beach	Dougherty	McAvoy	Sisson
Beates	Duell	McCabe	Skinner
Bradley	Duguid	McCarthy	Slingerland
Brennan	Ellis	McDonald	Steele
Bridges	Evans	McTernan	Strait
Brodsky	Ferris	Miller	Tallmadge
Bullock	Fish	Mitchell	Terpeny
Carpenter, E. A.	Fiske	Moore	Terry
Carpenter, I. S.	Fitzgerald	Morgan	Titus
Case	Gibbs	Newman	Torney
Catlin	Gillette	O'Brien	Travis
Chamberlain	Gray	Parker	Treanor
Chase	Griggs	Peck	Tully
Chickering	Grosse	Phillips	Tuthill, H. H.
Childs	Gwinup	Pitcher	Tuttle, R. M.
Clancy	Hagan	Potter	Van Valkenburgh
Clark	Hayes	Potts	Varnum
Clowes	Hoffman	Rhodes	Waterbury
Cornstock	Howland	Root	Wells, D. A.
Congdon	Hurd	Russell	Wells, J. L.
Cookinham	Husted	Sanders	Wiley
Crapser	Hynes	Seeley	Youngs
Cullinan	Ingersoll	Shanley	

Those who voted in the negative, were

Benedict, E. D.      Cohen      Havens

Mr. Shanley called from the table the resolution previously offered by him in words following:

*Whereas*, Great complaint is made by citizens of New York and Kings counties using the South and Hamilton ferries, that the accommodations upon the same are utterly insufficient, causing great loss of time to passengers; that the boats are crowded, to the peril of human life; and the waiting-rooms and ferry-houses of such ferries are insufficient to provide proper shelter for the large number of passengers using the same, whereby great and unnecessary hardships are endured by them,

*Resolved*, That the committee on commerce and navigation, of the Assembly, be requested to report, by bill or otherwise, such measures of relief as may be deemed necessary.

Mr. Speaker stated the question to be on the adoption of said resolution.

On motion of Mr. Alvord, and by unanimous consent, the word "instructed" was stricken from said resolution and the word "requested" inserted in place thereof.

On motion of Mr. Husted, and by unanimous consent, the resolution was amended by adding "without expense to the State" at the end thereof.

Mr. Speaker then put the question whether the House would agree to said resolution, as amended, and it was determined in the affirmative.

Mr. Husted moved to discharge the committee on ways and means from the further consideration of the following bills, and that the same be referred to the committee on internal affairs:

"An act entitled 'An act to authorize the town of Flushing, in Queens county, to borrow money and issue bonds therefor, for the purpose of paying the indebtedness of said town.'"

"An act in relation to equalization and assessment of taxes in the county of Chenango."

"An act to amend chapter 34 of the Session Laws of 1876, entitled 'An act to provide for the payment of a portion or the whole of the bounty debt of the county of Greene, by issuing new bonds.'"

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Tallmadge moved to discharge the committee on the affairs of cities from the further consideration of the following bills, and that the same be referred to the committee on charitable and religious societies.

"An act to incorporate an association to be known as the 'Exempt Firemen Association of the Western District of the City of Brooklyn' to be located in the western district of the city of Brooklyn."

"An act to incorporate an association to be known as the 'Exempt Firemen's Charitable Association of the Western District of the City of Brooklyn' to be located in the western district of the city of Brooklyn."

Mr. Skinner offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That the chairmen of the several standing committees of the Senate and Assembly be directed to cause all amendments to existing laws to be underscored, in all bills reported from committees, if such amendments consist in additions thereto, in order that such amendments may be printed in italics, and that the legislative printers be instructed to carry out the purposes of this resolution under the direction of the clerks of the two Houses.

On motion of Mr. Husted and by unanimous consent, said resolution was amended in the words following: After the word "italics" insert "and if they consist in omissions therefrom they shall be printed in the usual type and be embraced in brackets."

Mr. Speaker put the question whether the House would agree to said resolution, as amended, and it was determined in the affirmative.

Mr. Newman offered for the consideration of the House a resolution in the words following:

*Resolved*, That when this House adjourn to-day it be to meet on Monday evening at eight o'clock.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Cohen called from the table a resolution in the words following:

*Resolved*, That the Knickerbocker Life Insurance Company, of the city of New York, be and they are hereby directed to report, within twenty days after the passage of this resolution, a statement as to how many death claims have been paid, settled or compromised; as also the number of claims now in litigation, together with the amount paid for counsel and retaining fees within two years last past.

Mr. Cohen moved to amend said resolution by substituting the following:



*Resolved*, That the Knickerbocker Life Insurance Company of the city of New York be, and they are hereby directed, within twenty days after the passage of this resolution, to report to this Assembly a detailed statement as to how many death claims have been paid, settled or compromised, giving the dates of said settlements, payments or compromises so made, whether before or after suit brought, and the names of the parties with whom or for whose benefit the said payments or settlements have been effected, and the amounts paid respectively, as also the number of suits now pending against said company, setting forth the courts in which said actions are being prosecuted, the names of the plaintiffs in said several actions, and if the same have been instituted by any other person than the insured, or the original beneficiary as designated in any or either of said policies; and be it further

*Resolved*, That said Knickerbocker Life Insurance Company be, and they are hereby further directed, within the time aforesaid, to further report :

1st. The amounts paid for counsel and retaining fee, and when, and to whom, and for what purpose said payments were made.

2d. The amount paid for commissions, when and to whom.

3d. The amount collected for premiums, and when, and from whom.

4th. A detailed statement of the receipts and expenses of said company.

5th. A detailed statement of the assets of said company giving a minute description of all mortgages and other securities held by the same, the amounts of each of said mortgage and securities, the date of such original investment, the nature and description of the securities so held, and the property secured thereby, and its present market value, and whether the same is owned by the mortgagor in fee or in leasehold.

6th. The surplus of said company on the 1st day of January, 1877.

7th. A detailed statement of all other matters not hereinbefore specifically enumerated which will tend to show the present financial condition of said Knickerbocker Life Insurance Company aforesaid.

8th. That said report aforesaid be made, beginning January 1st, 1877, to the date of the making of such report.

Mr. Husted moved to refer said resolution to the committee on insurance.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. E. A. Carpenter moved to reconsider the vote by which the following bills were transferred from the committee on affairs of cities to the committee on charitable and religious societies.

"An act to incorporate an association to be known as the 'Exempt Firemen Association of the Western District of the City of Brooklyn,' to be located in the western district of the city of Brooklyn."

"An act to incorporate an association to be known as the 'Exempt Firemen's Charitable Association of the Western District of the City of Brooklyn,' to be located in the western district of the city of Brooklyn."

Mr. Speaker put the question whether the House would agree to the reconsideration of said vote, and it was determined in the affirmative.

*Ordered*, That said bills be referred back to the committee on affairs of cities.

The House then resolved itself into a committee of the whole on the bills entitled as follows:—

“An act to provide for the improvement and care of private parks in the several cities of this State.”

“An act to enforce collection of the taxes levied in the county of Oneida.”

“An act further to amend chapter 417 of the Laws of 1877, entitled ‘An act to repeal certain acts and parts of acts.’”

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Tallmadge, from said committee, reported in favor of the passage of the first and second named bills, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Tallmadge, from said committee, also reported in favor of the passage of the last named bill, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:—

“An act to extend the charter of the Central City Railway Company, organized under and in pursuance of chapter 483 of the Laws of 1859.”

“An act to exempt the town of Guilford, Chenango county, from the provisions and operations of chapter 175 of the Laws of 1870, entitled ‘An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties.’”

“An act to amend section 1, title 4, chapter 17, part 1 of the Revised Statutes, relating to the licensing of hawkers and peddlers.”

“An act for the better protection of the traveling public.”

“An act to repeal chapter 515 of the Laws of 1879, entitled ‘An act to amend chapter 625 of the Laws of 1875, entitled ‘An act in relation to courts of record in the city and county of New York.’”

“An act to amend chapter 555 of the Laws of 1864, entitled ‘An act to revise and consolidate the general acts relating to public instruction.’”

“An act to abolish the use of weigh-locks on the canals.”

“An act to amend chapter 222 of the Laws of 1879, entitled ‘An act to consolidate the several school districts in the town of Grand Island, Erie county, and to provide for a board of education therein.’”

“An act to amend chapter 863 of the Laws of 1873, entitled ‘An act to amend the charter of the city of Brooklyn, and the various amendments thereof.’”

“An act to forbid discriminations in school offices on account of sex.”

“An act to amend chapter 686 of the Laws of 1872, entitled ‘An act to amend an act entitled ‘An act to erect the village of Middleburgh into a separate road district, and the several acts amendatory thereof.’”

On motion of Mr. Travis, and at 1 o'clock and 15 minutes, the House adjourned.

## MONDAY EVENING, FEBRUARY 9, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Jungst.

The journal of Friday, February 6, was read and approved.

The Senate sent for concurrence the bills entitled as follows:

"An act conferring jurisdiction on the Canal Appraisers to determine the amount of damages to which the Port Byron school district, in the town of Mentz, in the county of Cayuga, is entitled to by reason of certain acts of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish, and other game,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

The Senate returned the Senate bill entitled "An act to incorporate the fire department of the village of Medina," with a message that they have concurred in the amendments made therein in the Assembly.

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Speaker presented a communication from the clerk of the city and county of New York in response to a resolution adopted by the Assembly, January 28, 1880, which was laid on the table and ordered printed.

(See Doc. No. 53.)

Mr. Griggs introduced a bill entitled "An act to amend chapter 456 of the Laws of 1879, entitled 'An act to prevent the deposit of mud, earth, soil, ashes or refuse in the North or Hudson river, and to prevent the filling up the navigable waters of said river, and to preserve the navigation thereof,' passed May 20, 1876," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Tuthill introduced a bill entitled "An act to subject the town of Scipio in the county of Cayuga to the provisions and operations of chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State and to prescribe their powers and duties,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Tuthill and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord  
Ash

Cullinan  
Curtis

Hynes  
Kennedy

Seeley  
Shanley

Baker, B. F.	Cushing	Lefever	Sheridan
Baker, C. S.	Davis	Low	Sherman
Beates	Deane	McDonald	Siason
Benedict, E. D.	Douglass	McTernan	Skinner
Benedict, T. E.	Duguid	Mead	Strait
Brennan	Ellis	Miller	Tallmadge
Bridges	Evans	Mitchell	Terry
Brodsky	Ferris	Mooers	Thilemann
Carpenter, I. S.	Fish	Newman	Titus
Case	Fitzgerald	Nowlan	Travis
Catlin	Gillette	O'Brien	Tuthill, H. H.
Chickering	Gray	Parker	Tuttle, R. M.
Childs	Griggs	Phillips	Van Valkenburgh
Clark	Gwinup	Pitcher	Waterbury
Clowes	Hagan	Potter	Wells, D. A.
Cohen	Havens	Potts	Wells, J. L.
Cookinham	Hayes	Rhodes	Wren
Costello	Howland	Root	Younge
Crapeer	Husted	Sanders	Mr. Speaker

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Mooers introduced a bill entitled "An act to amend an act entitled 'An act creating a board of town auditors in the several towns in the State, and to prescribe their powers and duties,' passed April 20, 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Beates introduced a bill entitled "An act to amend section 1 of chapter 303 of the Laws of 1868, entitled 'An act to amend the acts to provide for the incorporation of religious societies so far as the same relate to churches in connection with the Protestant Episcopal Church,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Lindsay introduced a bill entitled "An act vesting the right, title and interest of the State in and to certain lands in the city of Brooklyn in the Reformed Protestant Dutch Church of Bushwick," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Seeley introduced a bill entitled "An act to limit the functions of coroners, and to create the office of medical examiners," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Mr. Van Valkenburgh introduced a bill entitled "An act to authorize the change of course of the east branch of the eighteen mile creek in the town of Hartford, in the county of Niagara, in the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. R. M. Tuttle introduced a bill entitled "An act to amend section 1 of chapter 498 of the Laws of 1872, entitled 'An act for the protection of livery-stable keepers and other persons keeping horses at livery or pasture,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

Mr. Davis introduced a bill entitled "An act for the preservation

of fish in the waters of Loon lake in the county of Steuben," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws. Accompanied by a petition on the same subject.

Mr. Terry introduced a bill entitled "An act to further amend chapter 448 of the Laws of 1876, entitled 'An act relating to courts, officers of justice and civil proceedings,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Speaker introduced a bill entitled "An act to repeal chapter 176 of the Laws of 1878, entitled 'An act to repeal chapter 416 of the Laws of 1876, entitled 'An act to amend chapter 440 of the Laws of 1873, entitled 'An act requiring commissioners of highways to act as inspectors of plank roads and turnpikes, so far as the same relate to Ulster county,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Youngs introduced a bill entitled "An act to authorize the trustees of the village of Flushing to exempt property from taxation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Pursuant to ninth joint rule, Mr. Speaker announced order of business, third reading of bills.

The bill entitled "An act to amend chapter 686 of the Laws of 1872, entitled 'An act to amend an act entitled 'An act to erect the village of Middleburgh into a separate road district,' and the several acts amendatory thereof," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES . 78 {  
{ NOES . 00 {

Those who voted in the affirmative, were

Alvord	Cullinan	Lindsay	Shanley
Ash	Curtis	Low	Sheridan
Baker, B. F.	Cushing	McDonald	Sherman
Baker, C. S.	Davis	McTernan	Sisson
Beates	Deane	Miller	Skinner
Benedict, E. D.	Douglass	Mitchell	Strait
Benedict, T. E.	Duguid	Moore	Tallmadge
Brennan	Ellis	Nowlan	Terry
Bridges	Evans	O'Brien	Thilemann
Brodsky	Ferris	Parker	Titus
Carpenter, I. S.	Fish	Peck	Tuthill, H. H.
Case	Fitzgerald	Phillips	Tuttle, R. M.
Chickering	Gillette	Pitcher	Van Valkenburgh
Childs	Gray	Potter	Waterbury
Clark	Griggs	Potts	Wells, D. A.
Clowes	Grosse	Rhodes	Wells, J. L.
Cohen	Havens	Root	Wren
Cookinham	Hayes	Sanders	Youngs
Costello	Howland	Seeley	Mr. Speaker
Crapser	Hynes		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to extend the charter of the Central City Railway Company, organized under and in pursuance of chapter 483 of the Laws of 1859," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 76 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Cullinan	Hynes	Sanders
Ash	Curtis	Kennedy	Seeley
Baker, B. F.	Cushing	Lefever	Shanley
Baker, C. S.	Davis	Lindsay	Sheridan
Beates	Deane	Low	Sherman
Benedict, E. D.	Douglass	McDonald	Sisson
Benedict, T. E.	Duguid	McTernan	Skinner
Brennan	Ellis	Miller	Terry
Bridges	Evans	Mitchell	Thilemann
Brodaky	Ferris	Moors	Titus
Carpenter, I. S.	Fish	Newman	Travis
Catlin	Fitzgerald	Nowlan	Tuthill, H. H.
Chickering	Gillette	O'Brien	Tuttle, R. M.
Childs	Gray	Parker	Van Valkenburgh
Clark	Griggs	Phillips	Walsh
Clowes	Grosse	Pitcher	Waterbury
Cohen	Gwinup	Potter	Wells, D. A.
Cookinham	Havens	Rhodes	Wiley
Costello	Hayes	Root	Wren

Those who voted in the negative, were

Crapeer

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to exempt the town of Guilford, Chango county, from the provisions and operations of chapter 175 of the Laws of 1870, entitled "An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Howland	Rhodes
Ash	Curtis	Husted	Root
Baker, B. F.	Cushing	Hynes	Sanders
Baker, C. S.	Davis	Kennedy	Seeley
Beates	Deane	Lefever	Sheridan
Benedict, E. D.	Douglass	Lindsay	Sisson

Benedict, T. E.	Duguid	Low	Skinner
Brennan	Ellis	McDonald	Terry
Bridges	Evans	McTernan	Thilemann
Brodsky	Ferris	Miller	Titus
Carpenter, I. S.	Fish	Mitchell	Travis
Catlin	Fitzgerald	Moore	Tuthill, H. H.
Chickering	Gillette	Newman	Tuttle, R. M.
Childs	Gray	Nowlan	Van Valkenburgh
Clark	Griggs	O'Brien	Waterbury
Clowes	Grosse	Parker	Wells, D. A.
Cohen	Gwinup	Phillips	Wells, J. L.
Cookinham	Hagan	Pitcher	Wiley
Costello	Havens	Potter	Wren
Crapser	Hayes	Potts	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Husted moved to lay said order of business on the table for the purpose of taking up order of business general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The House then resolved itself into committee of the whole on the bills entitled as follows :

"An act ceding jurisdiction to the United States over a submarine site for a light-house to be built at the Great Beds in Raritan Bay."

"An act to repeal chapter 48 of the Laws of 1879, entitled 'An act to exempt the county of Monroe from the provisions and operations of chapter 253 of the Laws of 1878, entitled 'An act relating to the term of office of the supervisors of the counties of Albany, Livingston, Rensselaer and Monroe.'"

Senate, "An act giving the consent of the State of New York to the purchase of or acquisition by the United States of two sites for range lights in Cold Spring Harbor (Queens county), Long Island, New York, and ceding jurisdiction over the same."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Titus, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Titus, from said committee, also reported progress on the second and last named bills, and asked and obtained leave to sit again.

Mr. Youngs moved to discharge the committee of the whole on said second and last named bills, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. C. S. Baker moved to recommit bill No. 12, entitled "An act to repeal chapter 48 of the Laws of 1879, entitled 'An act to exempt the county of Monroe from the provisions and operations of chapter 253 of the Laws of 1878, entitled 'An act relating to the term of office of the supervisors of the counties of Albany, Livingston, Rensselaer and Monroe.'"

to the committee on internal affairs, not retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Wren moved that the bill entitled "An act for the extension of

a certain highway in the city of Brooklyn to and in the town of Newtown, Queens county," be recommitted to the committee on internal affairs.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

Senate, "An act giving the consent of the State of New York to the United States for the purchase of land at New Brighton and ceding jurisdiction over the same."

Senate, "An act to amend section 2 of chapter 22 of the Laws of 1858, entitled 'An act to enable the electors of the town of Watervliet to vote by districts for the election of town officers, as amended by section 1 of chapter 259 of the Laws of 1879.'"

"An act conferring additional powers upon the board of supervisors of the county of Niagara, relative to expenses for the support of the poor."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Case, from said committee, reported in favor of the passage of the first and last named bills, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Case, from said committee, also reported in favor of the passage of the second named bill, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Clark moved that bill No. 87, entitled "An act to amend chapter 34 of the Laws of 1858, entitled 'An act to make school district number 9, in the town of Pomfret, a union free school district,'" be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to authorize the Knickerbocker Casualty Insurance Company of New York to change the name thereof to 'The Fidelity and Casualty Insurance Company of New York.'"

"An act to amend chapter 287 of the Laws of 1879, entitled 'An act to provide for the formation of county and town co-operative insurance companies.'"

"An act to amend chapter 435 of the Laws of 1868, entitled 'An act to incorporate the village of Hamilton, in the county of Madison, and to repeal its present charter, as amended by chapter 168 of the Laws of 1877, and by chapter 19 of the Laws of 1878.'"

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Parker, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Parker, from said committee, also reported progress on the second and last named bills, and asked and obtained leave to sit again.

Mr. Miller moved to discharge the committee of the whole from the further consideration of the last named bill, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.



By unanimous consent Mr. J. L. Wells offered for the consideration of the House a resolution in the words following:

*Resolved*, That the clerk of the board of education of the city of New York be, and he hereby is directed to furnish this House within ten days, with a statement showing the number of visits made by the commissioners of common schools of the board of education of the city of New York, respectively, to each school of said city during the year 1879, as shown by the recorded visits of each commissioner in the visitor's books kept in the several schools of said city.

Said resolution giving rise to debate,

*Ordered*, That the same be laid upon the table.

Mr. Hayes offered for the consideration of the House a resolution in the words following:

*Resolved*, That the board of police commissioners of the city of New York be, and they are hereby requested to furnish to this House, such information as may be in their possession, relative to the transactions of the society known as the "Society for the Prevention of Crime," chartered under the Laws of the State, with a view to a full understanding of what additional legislation, if any, may be required in the interest of the society itself, and of a proper consideration for public morality, in the city of New York.

Said resolution giving rise to debate,

*Ordered*, That the same be laid upon the table.

By unanimous consent Mr. Curtis offered for the consideration of the House a resolution in the words following:

*Resolved*. That the Superintendent of Public Works be, and he hereby is requested to report to this House, at his earliest convenience, whether any responsible parties or a responsible corporation or corporations have expressed any desire to purchase the whole or any considerable portion of either the prism or banks of that portion of the Chenango canal or what is known as the Chenango Canal Extension, heretofore ordered to be sold, as a bed for the construction of a railroad, or for the continuance of the same as a canal or whether any of the villages through or near which said canal or said extension runs, have expressed any desire to purchase that portion of said canal or said extension, running through or near any of said villages, for hydraulic, hygienic, or fire purposes, or whether any responsible parties, corporations, conventions or companies, have expressed any desire to purchase any portion of said canal or said extension for water privileges, and if so, whether or not such expressions have been such as to warrant the State in being to the expense of causing an estimate and an appraisal of such portions and advertising the same for sale as provided in such cases.

Said resolution giving rise to debate,

*Ordered*, That the same be laid upon the table.

On motion of Mr. Van Valkenburgh and at 9 o'clock and 45 minutes the House adjourned.

## TUESDAY MORNING, FEBRUARY 10, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Magee.

The journal of yesterday was read and approved.

Mr. Alvord offered for the consideration of the House a privileged resolution in the words following :

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor requesting the return of bill No. 36, general orders 35, entitled "An act to amend chapter 277 of the Laws of 1868, entitled 'An act to amend an act entitled 'An act to provide for the incorporation of villages,' passed December 7, 1847, and the several acts amending the same, so far as relates to the village of Baldwinsville, Onondaga county," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker presented a petition of citizens of Kingston, Marbletown and Shawangunk, praying for separate institutions for the detention and reformation of women ; which was read and referred to the committee on State prisons.

Leave of absence was granted to Mr. Gorsline and Mr. Steele.

Mr. Speaker presented a resolution of the Chamber of Commerce of the State of New York in reference to the construction of an island on Robbins' Reef, New York harbor ; which was laid on the table and ordered printed.

(See Doc. No. 52.)

*Ordered*, That said resolution be referred to the committee on federal relations, when printed.

The Senate sent for concurrence the following resolution :

*Resolved* (if the Assembly concur), That a respectful message be sent to the Governor requesting the return of Senate bill No. 20, entitled "An act to amend chapter 590 of the Laws of 1865, entitled 'An act to incorporate the Porous Plaster Company of the city of New York.'"

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate returned the bill entitled "An act to exempt the county of Oswego, except the towns of Mexico, Rushland and Sandy Creek, from the provisions and operation of chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties,'" with a message that they have concurred in the passage of the same without amendment.

*Ordered*, That the Clerk deliver said bill to the Governor.

This being the day assigned, under the rule, for the consideration of general orders,

The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act to amend chapter 34 of the Laws of 1858, entitled

'An act to make school district No. 9 in the town of Pomfret a union free school district.'

"An act to repeal section 16 of chapter 143 of the Laws of 1874, entitled 'An act to authorize the formation of corporations for the erection and keeping of hotels,' and to re-enact the provisions of, and to supplement chapter 371 of the Laws of 1866, entitled 'An act to extend the operation and effect of the act passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes.'"

"An act to authorize the sale of lands in the town and village of Saratoga Springs, for unpaid State, county and municipal taxes, including water rates and special assessments.

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Kennedy, from said committee, reported in favor of the passage of the first and last named bills, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Kennedy, from said committee, also reported in favor of the passage of the second named bill, which report was agreed to, and the same ordered engrossed for a third reading.

The Senate sent for concurrence the resolution in the words following:

*Whereas*, The City Hall in the city of Albany was destroyed by fire on the morning of the 10th inst. and there is no place provided for holding the courts of record in said city,

*Resolved* (if the Assembly concur), That the trustees of the Capitol be and are hereby authorized to allow the unoccupied parts of the old Capitol to be used by said courts, and the transactions of the business of said courts.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk return said resolution to the Senate, with a message informing that the Senate have concurred in the passage of the same.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to provide for the improvement and care of private parks in the several cities in this State."

"An act to enforce collection of the taxes levied in the county of Oneida."

"An act further to amend chapter 417 of the Laws of 1877, entitled 'An act to repeal certain acts and parts of acts.'"

The Senate returned the resolution in the words following:

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor requesting the return of Assembly bill No. 36, general orders 35, entitled 'An act in relation to the village of Baldwinsville,' for amendment; with a message that they have concurred in the same.

*Ordered*, That the Clerk deliver said bill to the Governor.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend chapter 317 of the Laws of 1878, entitled 'An act in relation to the bonded indebtedness of villages, cities, towns and counties.'"

"An act in relation to and reducing the number of justices of the peace, creating judicial districts and providing for local inferior courts in the city of Brooklyn."

"An act to amend section 10 of title 8 of chapter 77 of the Laws of 1870, entitled 'An act to amend the act to combine into one act the several acts relating to the city of Albany,' passed April 12, 1842, and the several acts amendatory thereof; and also to repeal the act to establish a capital police district and to provide for the government thereof, passed April 23, 1865, and the several acts amendatory thereof, in so far as they relate to the city of Albany."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Travis, from said committee, reported in favor of the passage of the first named bill, which report was agreed to and the same ordered engrossed for a third reading.

Mr. Travis, from said committee, also reported in favor of the passage of the second and last named bills, with amendments, which report was agreed to and the same ordered engrossed for a third reading.

On motion of Mr. Alvord, and by unanimous consent, said first named bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Kennedy	Sheridan
Ash	Cushing	Lefever	Sherman
Baker, C. S.	Davis	Lindsay	Shuit
Beates	Deane	Low	Sisson
Bradley	Douglass	McCabe	Skinner
Brennan	Duell	Mead	Slingerland
Bridges	Duguid	Miller	Tallmadge
Brodsky	Ellis	Mitchell	Terry
Bullock	Ferris	Mooers	Thilemann
Carpenter, E. A.	Fish	Morgan	Titus
Carpenter, I. S.	Fiske	Nowlan	Tormey
Case	Fitzgerald	Parker	Travis
Catlin	Gibbs	Peck	Tully
Childs	Gillette	Pitcher	Tuthill, H. H.
Clark	Gray	Potter	Tuttle, R. M.
Clowes	Groese	Potts	Van Valkenburgh
Cohen	Hayes	Rhodes	Varnum
Comstock	Hoffman	Root	Waterbury
Congdon	Howland	Russell	Wells, J. L.
Cookinham	Hurd	Sanders	Wren
Costello	Husted	Seeley	Youngs
Crapeer	Hynes	Shanley	Mr. Speaker
Cullinan	Ingersoll		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence the bill entitled "An act relating to legal proceedings in which the mayor, aldermen and commonalty of the city of New York are parties of record or in interest," which

was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Terry, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }  
{ NOES 9 }

Those who voted in the affirmative, were

Alvord	Curtis	Lindsay	Sherman
Ash	Cushing	Low	Shuit
Baker, C. S.	Davis	McCabe	Sipp
Beach	Douglass	McCarthy	Sisson
Beates	Duguid	Mead	Skinner
Benedict, T. E.	Ellis	Miller	Slingerland
Brennan	Evans	Mooers	Strait
Bridges	Ferris	Morgan	Tallmadge
Brodsky	Fish	Newman	Terpeny
Bullock	Fiske	Nowlan	Terry
Carpenter, E. A.	Fitzgerald	O'Brien	Thilemann
Carpenter, I. S.	Gibbs	O'Connor	Titus
Case	Gray	Parker	Torney
Catlin	Griggs	Peck	Travis
Chickering	Grosse	Phillips	Tuthill, H. H.
Childs	Hayes	Potter	Tuttle, R. M.
Clark	Hoffman	Potts	Varnum
Clowes	Howland	Rhodes	Walsh
Cohen	Hurd	Root	Waterbury
Congdon	Husted	Russell	Wells, J. L.
Cookinham	Hynes	Sanders	Wren
Costello	Ingersoll	Seeley	Youngs
Crapser	Kennedy	Shanley	Mr. Speaker
Cullinan	Lefever	Sheridan	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker presented a communication in the words following:

*To the Honorable the Assembly of the State of New York:*

GENTLEMEN—You are cordially invited to be present at the exercises attending the installation of the officers of Geo. S. Dawson, Post 63, Grand Army of the Republic, at Tweddle Hall, Albany, on Thursday evening, February 12th, 1880, at 7.30 P. M.

Very respectfully,

EDWARD D. RONAN,

*Chairman of Committee on Invitations.*

*Resolved*, That the above invitation be placed on the journal.

Privileges of the floor were granted to Hon. W. Ballou and Hon. John I. Gilbert.

By unanimous consent,

Mr. Tallmadge introduced a bill entitled "An act in relation to the transit and burial of dead bodies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Mr. Husted moved to lay order of business general orders on the table for the purpose of taking up the regular order of business.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

A message was received from the Governor in the words following :

STATE OF NEW YORK,  
EXECUTIVE CHAMBER,  
ALBANY, February 10, 1880. }

*To the Assembly :*

In accordance with a joint resolution of the Assembly and Senate, herewith is returned, for amendment, Assembly bill No. 36, entitled "An act in relation to the village of Baldwinsville."

ALONZO B. CORNELL.

Mr. Alvord moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, as follows :

{ AYES 94 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costello	Hynes	Seeley
Ash	Crapsier	Kennedy	Shanley
Baker, C. S.	Cullinan	Lefever	Sheridan
Beach	Curtis	Lindsay	Sherman
Beates	Cushing	Low	Shuit
Benedict, E. D.	Davis	McCabe	Sisson
Benedict, T. E.	Deane	Mead	Skinner
Bradley	Douglass	Miller	Slingerland
Brennan	Duguid	Mitchell	Tallmadge
Bridges	Ellis	Mooers	Terry
Brodsky	Evans	Morgan	Thilemann
Bullock	Ferris	Newman	Titus
Carpenter, E. A.	Fish	Nowlan	Tormey
Carpenter, I. S.	Fiske	O'Brien	Travis
Case	Fitzgerald	O'Connor	Tully
Catlin	Gibbs	Parker	Tuthill, H. H.
Chickering	Gillette	Phillips	Tuttle, R. M.
Childs	Gray	Potter	Van Valkenburgh.
Clark	Havens	Potts	Waterbury
Clowes	Hayes	Rhodes	Wells, J. L.
Cohen	Hoffman	Root	Wren
Comstock	Howland	Russell	Youngs
Congdon	Hurd	Sanders	Mr. Speaker
Cookinham	Husted		

On motion of Mr. Alvord, and by unanimous consent, said bill was amended in words following :

Add at end of section 5,

1st. To appoint the several officers whose offices are held by appointment as herein provided.

2d. To call special meetings of the electors of the village whenever the same shall be deemed necessary by the board.

3d. To examine and audit all accounts and claims against the village.

4th. To fix the amount of the bonds required to be by this act given by the several officers.

5th. To fix the compensation of the officers of the village as herein provided.

6th. To prescribe and direct the manner in which the treasurer shall keep the accounts and vouchers of his office and the manner in which the clerk shall keep the records and papers of the village.

7th. To issue warrants for the collection of taxes, and for the expense of making and repairing sidewalks, abating nuisances and for the collection of assessments for the making, grading, altering and repairing of streets and alleys and all other assessments authorized by this act.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present

{ AYES 86 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Lefever	Shuit
Ash	Cushing	Lindsay	Sipp
Baker, C. S.	Davis	Low	Sisson
Beates	Deane	McCabe	Skinner
Benedict, E. D.	Douglass	McDonald	Slingerland
Brennan	Duguid	Mead	Tallmadge
Brodsky	Ellis	Mitchell	Terpeny
Bullock	Evans	Mooers	Terry
Carpenter, I. S.	Fish	Morgan	Thilemann
Case	Fiske	Newman	Titus
Catlin	Fitzgerald	Nowlan	Torney
Chickering	Gibbs	O'Brien	Travis
Childs	Gillette	Pitcher	Tuthill, H. H.
Clark	Gray	Potter	Tuttle, R. M.
Clowes	Grosse	Potts	Van Valkenburgh
Cohen	Hayes	Rhodes	Varnum
Comstock	Hoffman	Root	Waterbury
Congdon	Hurd	Sanders	Wells, J. L.
Cookinham	Husted	Seeley	Weston
Costello	Hynes	Sheridan	Wren
Crapser	Ingersoll	Sherman	Mr. Speaker
Cullinan	Kennedy		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Slingerland introduced a bill entitled "An act to permit and authorize the city of Albany to issue the bonds of said city for the payment of the expenses of draining, grading, forming, paving and flagging a portion of South Pearl street, in the city of Albany, and to extend the time of payment of the assessments therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities. Accompanied by a petition.

Mr. Congdon introduced a bill entitled "An act to incorporate the Gowanda Water Works Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Also, the bill entitled "An act to provide for the compensation of attorneys and counselors at law for defending under order of the

court, persons on trial on indictment for crimes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill entitled "An act to reorganize the 'Western New York Society for the Protection of Homeless and Dependent Children,' at Randolph, Cattaraugus county, and to provide for its management and maintenance," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Curtis introduced a bill entitled "An act to amend chapter 415 of the Laws of 1877, entitled 'An act for the protection of dairy-men and to prevent deception in the sales of butter,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

Mr. Hurd introduced a bill entitled "An act to amend an act entitled 'An act for the incorporation of villages,' passed April 20, 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Skinner introduced a bill entitled "An act to amend sections 4 and 5 of title 2 of chapter 714 of the Laws of 1869, entitled 'An act to incorporate the city of Watertown,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Wren introduced a bill entitled "An act to amend chapter 80 of the Laws of 1870, entitled 'An act to provide for the enrollment of the militia, for the organization of the National Guard of the State of New York, and for the public defense, and entitled the Military Code,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on militia.

Mr. Clancy introduced a bill entitled "An act to regulate the laying out, building and operating of railroads within the county of Kings, outside the corporate limits of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Tormey (by request) introduced a bill entitled "An act in relation to the repavement, with Nicholson pavement, of Atlantic avenue in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Varnum introduced a bill entitled "An act to provide for the revision, amendment and consolidation of the act entitled 'An act to provide for the enrollment of the militia, for the organization of the National Guard of the State of New York, and for the public defense, and entitled the 'Military Code,' and of all acts amendatory thereof, and supplemental thereto, or relating to the organization and government of the militia of the State,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on militia.

Also, the bill entitled "An act to amend an act entitled 'An act to extend the powers of notaries public in the city and county of New York, and in the county of Kings,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.



Mr. Costello introduced a bill entitled "An act in relation to certain employees of the mayor, aldermen, and commonalty of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Duell introduced a bill entitled "An act in relation to the jurisdiction of the district court of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Van Valkenburgh introduced a bill entitled "An act authorizing the directing the enlargement of the west branch of the eighteen mile creek north of the Erie canal in the county of Niagara, and appropriating money for that purpose," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals. Accompanied by a petition.

Mr. Husted introduced a bill entitled "An act to amend section 5, title 3 of chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Evans introduced a bill entitled "An act authorizing and empowering the Superintendent of Public Works to construct a bridge over the Cayuga and Seneca canal, between the towns of Fayette and Waterloo, at or near Con Johnson's farm, in the county of Seneca," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Davis introduced a bill entitled "An act to authorize the treasurer of Steuben county to sell property for unpaid taxes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. T. E. Benedict introduced a bill entitled "An act to further amend an act entitled 'An act conferring additional corporate powers upon the village of Ellenville,' passed May 5, 1868, and amended by chapter 37 of the Laws of 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Terry introduced a bill entitled "An act to re-appropriate certain moneys in the treasury for the improvement of the Champlain canal," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Sherman introduced a bill entitled "An act to amend section 8 of chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish, and other game,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

Mr. Catlin introduced a bill entitled "An act to provide for the refunding of a portion of the bonded debt of the town of Westchester, in the county of Westchester, and to restrict the powers of the town officers to bond the said town except as provided in chapter 193 of the Laws of 1877," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, the bill entitled "An act to provide for the construction, care and maintenance of the bridges over the Bronx river between the city

and county of New York and county of Westchester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent,

Mr. Curtis called from the table a resolution previously offered by him in the words following :

*Resolved* That the Superintendent of Public Works be and he is hereby requested to report to this House, at his earliest convenience, whether any responsible parties or a responsible corporation or corporations have expressed any desire to purchase the whole or any considerable portion of either the prism or banks of that portion of the Chenango canal, or what is known as the Chenango canal extension, heretofore ordered to be sold, as a bed for the construction of a railroad, or for the continuance of the same as a canal; or whether any of the villages through or near which said canal or said extension runs, have expressed any desire to purchase that portion of said canal or said extension running through or near any of said villages, for hydraulic, hygienic or fire purposes; or whether any responsible parties, corporations, associations, or companies have expressed any desire to purchase any portion of said canals, or said extensions, for water privileges, and, if so, whether or not such expressions have been such as to warrant the State in being to the expense of causing an estimate and an appraisal of such portions, and advertising the same for sale as provided in such cases.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The hour of 2 o'clock having arrived, the House adjourned.

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### WEDNESDAY MORNING, FEBRUARY 11, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Smart.

The journal of yesterday was read and approved.

Mr. Congdon introduced a bill entitled "An act to provide for a commission to propose amendments to the sixth article of the Constitution," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill entitled "An act to amend the Code of Civil Procedure, and provide for the election, return and drawing of trial jurors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Roberts introduced a bill entitled "An act to amend chapter 319 of the Laws of 1870, entitled 'An act to revise the charter of the city of Buffalo,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Wren introduced a bill entitled "An act to authorize the establishment of a children's park, in the eastern district of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities. Accompanied by a petition.

Mr. Chickering introduced a bill entitled "An act to prevent cut-

ting timber upon unoccupied lands in this State, upon which there remains unpaid taxes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Cookinham introduced a bill entitled "An act to amend chapter 832 of the Laws of 1866, entitled 'An act to amend an act entitled 'An act conferring additional powers on boards of town auditors,' passed March 3, 1860," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Peck introduced a bill entitled "An act to authorize the common council of the city of Ogdensburg to raise money for the purpose of finishing and furnishing additional school rooms, of said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Terry introduced a bill entitled "An act to collect and preserve the waters in the upper Hudson river and its tributaries, and utilize the same for purposes of canal and river navigation in seasons of low water and drouth," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Hurd introduced a bill entitled "An act making an appropriation to pay the expenses of the collections of tolls, superintendence, ordinary repairs and maintenance of the canals, for the fiscal year commencing on the first day of October, 1880, and to provide for a contingent deficiency in the revenues of the canals for the calendar year 1880," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Also, the bill entitled "An act appropriating money for the payment of sums due to contractors for new work and extraordinary repairs on the canals and to pay the certificates and drafts issued therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Cohen introduced a bill entitled "An act to legalize the official acts and proceedings of Charles I. Schampain, a notary public of the county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Clowes introduced a bill entitled "An act to change the present number of overseers of the poor of the town of Hempstead, Queens county, from three to one," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Tallmadge introduced a bill entitled "An act to regulate and control the raising and spending of public moneys in the county of Kings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Privilege of the floor was granted to Hon. Mr. Santee, former member of this House.

Mr. Skinner introduced a bill entitled "An act in relation to the incorporation of villages," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Griggs (introductory No. 384), entitled "An act to amend an act for the better prevention of the procurement of abortions and other like offenses, and to amend the laws relative thereto, passed April 6, 1872," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Rhodes (introductory No. 404), entitled "An act to amend chapter 121 of the Laws of 1835, entitled 'An act to incorporate the Troy Young Men's Association,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Russell (introductory No. 369), entitled "An act to abolish the office of county auditor of Kings county," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Hurd (introductory No. 197), entitled "An act requiring certain bonds and undertakings to be recorded," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 3), entitled "An act to amend the law of evidence and practice on civil criminal trials," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Duell (introductory No. 440), entitled "An act in relation to the jurisdiction of the district courts of the city of New York," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Terry (introductory No. 339), entitled "An act to prevent any corporation, company, society or association from assuming the same or similar name or title of a corporation already in existence," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Hurd, from the committee on canals, to which was referred the bill introduced by Mr. Cookinham (introductory No. 387), entitled "An act to authorize the Superintendent of Public Works to construct a lift, hoist, draw or swing bridge over the Erie canal upon Genesee street in the city of Utica," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Weston, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Chickering (introductory No. 243), entitled "An act to declare Independence river and its tributaries, in Lewis and Herkimer counties, a public highway," reported in

favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Weston, from the committee on roads and bridges, to which was referred the bill introduced by Mr. C. S. Baker (introductory No. 49), entitled "An act to amend chapter 259 of the Laws of 1848, entitled 'An act to provide for the incorporation of bridge companies,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sherman, from the committee on public education, to which was referred the bill introduced by Mr. Wells (introductory No. 396), entitled "An act relative to the common schools of the city of New York," reported said bill for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Sherman said bill was recommitted to the committee on education, when printed, not retaining place on general orders.

Mr. Davis, from the committee on trade and manufactures, to which was referred the bill introduced by Mr. Tully (introductory No. 231), entitled "An act to repeal chapter 443 of the Laws of 1868, entitled 'An act to limit and define the powers and privileges of the Eureka Basin Warehouse and Manufacturing Company of Long Island,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Ingersoll, from the committee on Indian affairs, to which was referred the bill introduced by Mr. Clark (introductory No. 186), entitled "An act to prevent the bribing and corrupting of officers of the Seneca Nation of Indians," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Husted, from the committee on ways and means, reported a bill entitled "An act making appropriations for the support of government," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

On motion of Mr. Husted, and by unanimous consent, said bill was recommitted to the committee on ways and means, when printed, retaining its place on general orders.

Mr. Husted offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That the Adjutant-General of the State be directed to return, upon application, the property temporarily deposited by Captain Frank E. Brownell in the Bureau of Military Statistics, consisting of one zouave uniform and two guns, the same being the personal property of the said Brownell.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Youngs offered for the consideration of the House a resolution in the words following:

*Resolved*, That the Secretary of the New York and Long Island Bridge Company be and he is hereby directed to forward to the Legislature, within twenty days, a statement showing the amount of capital stock of said company, the amount of said stock subscribed for, by whom held, and the amount paid therefor in cash; also, a detailed statement showing all moneys expended by said company, for

what purpose expended and to whom paid since the organization of said company.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Douglass offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That 1,000 copies of the annual report of the Central New York Institution for Deaf Mutes, at Rome, N. Y., for the year 1879, be printed for the use of said institution.

*Ordered*, That said resolution be referred to the committee on public printing.

Mr. J. L. Wells called from the table a resolution previously offered by him in the words following:

*Resolved*, That the clerk of the board of education of the city of New York be and he hereby is directed to furnish this House, within ten days, with a statement showing the number of visits made by the commissioners of common schools of the board of education of the city of New York, respectively, to each school of said city during the year 1879, as shown by the recorded visits by each commissioner in the visitor's books kept in the several schools of said city.

Mr. Speaker put the question, whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Wren called from the table a resolution previously offered by him in the words following:

*Whereas*, Thirteen million dollars has already been expended upon the construction of the East River Bridge, and grave doubts and suspicions are entertained as to the stability of the structure; therefore be it

*Resolved* (if the Senate concur), That the Governor be empowered to appoint three expert engineers to examine into and report upon the condition of the New York and Brooklyn Bridge, whether the structure so far as now built will prove durable and safe, and whether it would not prove to the benefit of the cities of New York and Brooklyn, that another board of trustees and officers should be provided for by this Legislature.

*Resolved*, That such committee of three expert engineers shall report the result of its inquiries and examination on or before March 1, 1880.

On motion of Mr. Tallmadge, said resolution was referred to the committee on ways and means.

Mr. Ash called from the table a resolution previously offered by him in the words following:

*Whereas*, The State of New York is interested in common with other States bordering upon the great lakes in the early completion of certain improvements now in progress affecting their commerce; and

*Whereas*, Owing to the delay in the completion of these works, and especially the improvement of the channel between Lake Superior and Lake Huron, and of the Lime Kiln crossing near the mouth of the Detroit river, the interchange of our products with the north-west is now subject to great and needless disability and expense;

*Whereas*, The consequences of this fall upon our whole people in the single particular of the iron products of Lake Superior to the extent of nearly one million of dollars annually; and

*Whereas*, By adequate appropriations therefor the completion of the

lock and canal at Sault St. Marie and the improvement of the St. Marie river and the Lime Kiln crossing, can be completed to sixteen feet of water during the year 1881; therefore

*Resolved* (if the Senate concur). That it is the sense of the Legislature of the State of New York, that an urgent commercial necessity exists for the earliest possible completion of these improvements, and the Senators and Representatives in Congress from the State of New York are hereby requested to use all proper means to secure this important result.

*Resolved*, That a certified copy of these resolutions be forwarded to each of said Senators and Representatives.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Varnum offered for the consideration of the House a resolution in the words following:

*Whereas*: Many persons in New York city are detained at their places of business until after midnight, and many others arrive in the city by the various railroads and boats during the early hours of the morning, and have occasion and need to travel from one part of the city to another, on the west side of the city,

*Resolved*, That it be referred to the committee on railroads to consider whether it will not be advisable and proper to require the Metropolitan Elevated Railroad in the city of New York, for the accommodation of the public, to run half-hourly trains from midnight to 5 o'clock A. M., over its 6th avenue line.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Privileges of the floor were granted to Maj.-Gen. D. E. Sickles, Hon. W. H. Waring, Hon. Jonathan Ogden, Hon. W. B. Veeder, Hon. Mr. Estes, Hon. Mr. Bennett and Hon. John Keenan.

Mr. Travis offered for the consideration of the House a resolution in the words following;

*Resolved* (if the Senate concur). That 500 extra copies of the list of the committees of the Assembly be printed for the use of the Assembly.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Curtis moved to discharge the committee on charitable and religious societies from the following acts, and that said bills be referred to the committee on State charitable institutions:

"An act relating to the State Board of Charities."

"An act to confirm and legalize the acts of the commissioner of highways of the town of Boonville, in building a bridge across Black river near Crandall's mill, in 1879, and to confirm and legalize the acts of the town auditors of said town in auditing the bills for the expense thereof."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Hayes called from the table a resolution previously offered by him in the words following:

*Resolved*, That the Board of Police Commissioners of the city of New York be, and they are hereby requested to furnish to this House such information as may be in their possession relative to the trans-

actions of the society known as the "Society for the Prevention of Crime," chartered under the Laws of the State, with a view to a full understanding of what additional legislation, if any, may be required in the interests of the society itself, and if a proper consideration for public morality in the city of New York.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Pursuant to ninth joint rule, Mr. Speaker announced order of business, third reading of bills.

The bill entitled "An act to amend section 1, title 4, chapter 17, part 1 of the Revised Statutes, relating to the licensing of hawkers and peddlers," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 75 }  
{ NOES 4 }

Those who voted in the affirmative, were

Alvord	Comstock	Gwinup	Sanders
Andrews	Congdon	Howland	Seeley
Ash	Cookinham	Husted	Sherman
Baker, B. F.	Costello	Ingersoll	Sipp
Baker, C. S.	Cullinan	Kennedy	Sisson
Beach	Curtis	Lefever	Skinner
Beates	Cushing	Lindsay	Slingerland
Bradley	Davis	Low	Steele
Brennan	Dougherty	McCarthy	Terry
Brodsky	Douglass	McDonald	Tormey
Bullock	Duguid	Miller	Travis
Carpenter, E. A.	Evans	Mitchell	Treanor
Carpenter, I. S.	Ferris	Morgan	Tully
Chamberlain	Fish	Nowlan	Tuttle, R. M.
Chickering	Fitzgerald	O'Brien	Varnum
Childs	Gibbs	O'Connor	Walsh
Clark	Gillette	Peck	Waterbury
Clowes	Gorsline	Phillips	Wren
Cohen	Grosse		

Those who voted in the negative, were

Crapeer	Ellis	Hoffman	Potter
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*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act relative to janitors in district courts in the city of New York," being announced for a third reading, Mr. Mitchell moved to recommit said bill to the committee on the judiciary, with instructions to amend said bill in words following, and report forthwith :

Section 1. The justice of each district court in the city of New York is hereby authorized and empowered to appoint one janitor for the building in which such court is held, and such janitor shall hold office during the pleasure of, and be subject to the direction of the justice making such appointment.

The board of estimate and apportionment of said city is hereby authorized and directed to make provision for the compensation of



said janitors, and to fix the salaries of each at a sum not greater than that heretofore fixed and determined by law.

Nothing in this act contained shall in any manner annul, restrict or affect the powers heretofore granted the department of public works of said city, or the commissioner thereof, concerning the control or care of public buildings, except in the matter of the appointment of janitors herein provided for; and not more than one janitor shall be appointed for any public building in which a district court is held.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Terry, from the committee on the judiciary, reported said bill back, amended as instructed by the House.

Mr. Cohen moved to recommit said bill to the committee on the judiciary, with instructions to amend the same in words following: After the words "section 1" insert the words "on and after January 1, 1882."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Cushing	Low	Sheridan
Andrews	Davis	McAvoy	Sherman
Baker, B. F.	Deane	McCabe	Sipp
Baker, C. S.	Dougherty	McCarthy	Sisson
Beates	Douglass	McDonald	Skinner
Benedict, E. D.	Duguid	Miller	Slingerland
Bennett	Ellis	Mitchell	Terpeny
Bradley	Evans	Mooers	Titus
Brennan	Ferris	Morgan	Tormey
Bridges	Fish	Newman	Travis
Brodsky	Fiske	Nowlan	Tuthill, H. H.
Carpenter, E. A.	Fitzgerald	O'Brien	Tuttle, R. M.
Catlin	Gibbs	Parker	Van Valkenburgh
Chickering	Gray	Pitcher	Varnum
Childs	Grosse	Potts	Walsh
Clark	Hayes	Rhodes	Warner
Comstock	Howland	Roberts	Waterbury
Congdon	Husted	Russell	Wells, D. A.
Cookinham	Ingersoll	Sanders	Wells, J. L.
Costello	Kennedy	Seeley	Weston
Crapser	Lefever	Shanley	Wren
Cullinan	Lindsay		

Those who voted in the negative, were

Cohen

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Baker presented several petitions of citizens of Monroe and Wyoming counties to amend section 23 of the general railroad act ; which was read and referred to the committee on railroads.

By unanimous consent,

Mr. Hoffman presented a petition in relation to State Board of Health ; which was read and referred to the committee on public health.

By unanimous consent,

Mr. Beates presented a petition in favor of the State publishing a series of text-books for the use of the common schools ; which was read and referred to the committee on public education.

By unanimous consent,

Mr. Varnum presented a petition asking for an appropriation for the New York Colored Mission ; which was read and referred to the committee on charitable and religious societies.

By unanimous consent,

Mr. Low presented a petition of Board of Trustees and fifty tax payers of the village of Wilson, asking amendment to village charter ; which was read and referred to the committee on affairs of villages.

The bill entitled " An act for the better protection of the traveling public," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 78 }  
{ NOES 11 }

Those who voted in the affirmative, were

Alvord	Duguid	Lindsay	Sisson
Andrews	Ellis	Low	Skinner
Ash	Evans	McCabe	Slingerland
Baker, B. F.	Ferris	McCarthy	Steele
Baker, C. S.	Fish	Miller	Terpeny
Beach	Fiske	Mooers	Terry
Beates	Gillette	Newman	Titus
Bradley	Gorsline	Nowlan	Tormey
Brodsky	Grosse	Parker	Travis
Bullock	Gwinup	Peck	Tully
Carpenter, E. A.	Havens	Potter	Tuthill, H. H.
Catlin	Hayes	Potts	Tuttle, R. M.
Chickering	Hoffman	Root	Van Valkenburgh
Childs	Howland	Sanders	Varnum
Clowes	Hurd	Seeley	Waterbury
Cushing	Husted	Shanley	Wells, D. A.
Davis	Hynes	Sheridan	Wells, J. L.
Deane	Ingersoll	Sherman	Weston
Dougherty	Kennedy	Sipp	Wren
Douglass	Lefever		

Those who voted in the negative, were

Benedict, E. D.	Conndon	Fitzgerald	McDonald
Bennett	Costello	Hagan	Walsh
Chamberlain	Crapser	McAvoy	

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the bill entitled "An act to amend chapter 317 of the Laws of 1878, entitled 'An act to amend chapter 75 of the Laws of 1878, entitled 'An act in relation to the bonded indebtedness of villages, cities, towns and counties,'" with a message that they have passed the same without amendment.

*Ordered*, That the Clerk deliver said bill to the Governor.

The bill entitled "An act to repeal chapter 515 of the Laws of 1879, entitled 'An act to amend chapter 625 of the Laws of 1875, entitled 'An act in relation to the courts of record in the city and county of New York,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative. a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 77 }  
{ NOES 28 }

Those who voted in the affirmative, were

Alvord	Congdon	Lindsay	Seeley
Andrews	Crafts	Low	Sherman
Ash	Cullinan	McCabe	Shuit
Baker, B. F.	Curtis	Miller	Skinner
Baker, C. S.	Davis	Mitchell	Slingerland
Beach	Douglass	Mooers	Steele
Beates	Duguid	Morgan	Tallmadge
Benedict, T. E.	Evans	Newman	Terry
Bennett	Ferris	Nowlan	Thilemann
Bradley	Fish	O'Brien	Titus
Brennan	Gillette	Parker	Travis
Carpenter, I. S.	Gorsline	Phillips	Tully
Catlin	Gray	Pitcher	Tuthill, H. H.
Chamberlain	Hagan	Potter	Tuttle, R. M.
Chickering	Howland	Potts	Van Valkenburgh
Childs	Hurd	Rhodes	Waterbury
Clark	Husted	Roberts	Wells, D. A.
Clowes	Hynes	Root	Wren
Cohen	Ingersoll	Russell	Youngs
Comstock	Kennedy		

Those who voted in the negative, were

Benedict, E. D.	Dougherty	Hayes	O'Connor
Brodsky	Duell	Hoffman	Peck
Bullock	Ellis	McAvoy	Shanley
Carpenter, E. A.	Fitzgerald	McCarthy	Terpeny
Clancy	Grosse	McDonald	Treanor
Costello	Gwinup	McTernan	Walsh
Cushing	Havens	Mead	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend chapter 34 of the Laws of 1858, entitled 'An act to make school district number 9 in the town of Pomfret a union free school district.'"

"An act to repeal section 16 of chapter 143 of the Laws of 1874, entitled 'An act to authorize the formation of corporations for the erection and keeping of hotels, and to re-enact the provisions of, and

to supplement chapter 371 of the Laws of 1866, entitled 'An act to extend the operation and effect of the act passed February, 17 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes.'"

"An act to authorize the sale of lands in the town and village of Saratoga Springs, for unpaid State, county and municipal taxes, including water rates and special assessments."

"An act for the relief of the Manhattan Savings Institution of the city of New York, and to authorize the city of Yonkers to issue bonds for certain purposes."

"An act to subject the town of Scipio, in the county of Cayuga, to the provisions and operations of chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties.'"

"An act ceding jurisdiction to the United States over a submarine site for a light-house to be built at the Great Beds in Raritan Bay."

"An act conferring additional powers upon the board of supervisors of the county of Niagara, relative to expenses for the support of the poor."

"An act to authorize the Knickerbocker Casualty Insurance Company of New York to change the name thereof to 'The Fidelity and Casualty Insurance Company of New York.'"

"An act to amend chapter 435 of the Laws of 1868, entitled 'An act to incorporate the village of Hamilton, in the county of Madison, and to repeal its present charter, as amended by chapter 166 of the Laws of 1877, and by chapter 19 of the Laws of 1878.'"

By unanimous consent,

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. Sherman (introductory No. 360), entitled "An act to authorize the extension of time for the collection of taxes in the several towns in this State," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Alvord, and by unanimous consent, the committee of the whole was discharged from the further consideration of said bill, and the same was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Comstock	Ingersoll	Sherman
Andrews	Congdon	Lindsay	Shuit
Ash	Crapeer	Low	Sipp
Baker, B. F.	Curtis	McAvoy	Sisson
Baker, C. F.	Dougherty	McCabe	Slingerland
Beach	Douglass	McCarthy	Steele
Beates	Duell	Miller	Strait
Benedict, T. E.	Duguid	Mitchell	Terry
Bradley	Ellis	Mooers	Titus
Brennan	Evans	Morgan	Tozier
Brotsky	Fish	Newman	Travis

Bullock	Fitzgerald	Nowlan	Tully
Carpenter, E. A.	Gorsline	O'Brien	Tuthill, H. H.
Carpenter, I. S.	Gray	Parker	Tuttle, R. M.
Case	Grosse	Peck	Van Valkenburgh
Catlin	Havens	Phillips	Varnum
Chamberlain	Hayes	Potter	Waterbury
Childs	Howland	Potts	Wells, D. A.
Clark	Hurd	Root	Wells, J. L.
Clowes	Husted	Seeley	Wren
Cohen	Hynes	Shanley	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the relief of the Manhattan Savings Institution of New York, and to authorize the city of Yonkers to issue bonds for certain purposes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 {  
{ NOES 00 {

Those who voted in the affirmative, were

Alvord	Cullinan	Kennedy	Seeley
Andrews	Cushing	Lindsay	Shanley
Ash	Dougherty	Low	Sherman
Baker, B. F.	Duguid	McAvoy	Shuit
Baker, C. S.	Ellis	McCarthy	Sipp
Beach	Evans	McDonald	Sisson
Beates	Ferris	McTernan	Skinner
Benedict, E. D.	Fish	Miller	Steele
Benedict, T. E.	Fitzgerald	Mooers	Tallmadge
Bradley	Gibbs	Newman	Terpeny
Brennan	Gorsline	Nowlan	Terry
Brodsky	Gray	O'Brien	Thilemann
Carpenter, I. S.	Griggs	O'Connor	Titus
Case	Grosse	Parker	Tully
Catlin	Gwinup	Peck	Tuthill, H. H.
Chamberlain	Hagan	Phillips	Tuttle, R. M.
Chickering	Havens	Pitcher	Van Valkenburgh
Childs	Hayes	Potter	Varnum
Clowes	Howland	Potts	Waterbury
Congdon	Hurd	Rhodes	Wells, D. A.
Costello	Hynes	Roberts	Wells, J. L.
Crapser	Ingersoll	Root	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Howland	Shuit
Andrews	Curtis	Hurd	Sipp
Ash	Cushing	Hynes	Sisson
Baker, B. F.	Davis	Ingersoll	Skinner
Baker, C. S.	Deane	Lefever	Slingerland
Beach	Dougherty	Low	Steele
Beates	Douglass	McCarthy	Terpeny
Benedict, E. D.	Duguid	McDonald	Terry
Benedict, T. E.	Evans	McTernan	Titus
Brodaky	Ferris	Miller	Tozier
Bullock	Fish	Mitchell	Travis
Carpenter, I. S.	Fiske	Morgan	Treanor
Case	Fitzgerald	Nowlan	Tully
Catlin	Gibbs	O'Connor	Tuthill, H. H.
Chamberlain	Gillette	Parker	Tuttle, R. M.
Chickering	Gray	Phillips	Van Valkenburgh
Childs	Griggs	Potter	Varnum
Clark	Grosse	Roberts	Wells, D. A.
Clowes	Gwinup	Russell	Wells, J. L.
Cohen	Havens	Seeley	Wiley
Congdon	Hayes	Sheridan	Wren
Costello	Hoffman	Sherman	Youngs
Crapser			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Wiley offered for the consideration of the House a resolution in the words following:

*Whereas*, The City Hall in this city was, on the morning of the 10th inst., destroyed by fire, rendering its further occupancy by the officials of said city and county an utter impossibility; and,

*Whereas*, The citizens of Albany in common with the officials of said city and county desire to convene in order to debate and consider the providing of suitable quarters for the occupancy of said city and county officials; therefore,

*Resolved*, That the privilege of this chamber be granted for the purpose herein set forth, on Friday afternoon, February 13, 1880.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The bill entitled "An act to amend chapter 34 of the Laws of 1858, entitled 'An act to make school district number 9 in the town of Pomfret a union free school district,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Hurd	Sheridan
Andrews	Costello	Husted	Sherman
Ash	Cullinan	Hynes	Shuit

Baker, B. F.	Curtis	Ingersoll	Sisson
Beach	Cushing	Kennedy	Skinner
Beates	Davis	Lefever	Slingerland
Benedict, E. D.	Deane	Lindsay	Terpeny
Benedict, T. E.	Dougherty	McDonald	Terry
Bennett	Douglass	Miller	Thilemann
Bradley	Duell	Mitchell	Tozier
Brodsky	Duguid	Morgan	Treanor
Bullock	Ellis	Newman	Tully
Carpenter, E. A.	Evans	Nowlan	Tuthill, H. H.
Carpenter, I. S.	Fish	O'Connor	Tuttle, R. M.
Case	Gibbs	Parker	Varnum
Oatlin	Gorsline	Peck	Waterbury
Chamberlain	Gray	Phillips	Wells, D. A.
Chickering	Grosse	Pitcher	Wells, J. L.
Childs	Havens	Potts	Weston
Clark	Hayes	Root	Wren
Cohen	Hoffman	Russell	Yongs
Congdon	Howland	Seeley	Mr. Speaker

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence the bills entitled as follows:

"An act to amend the Code of Civil Procedure."

On motion of Mr. Brodsky said bill was substituted for Assembly bill No. 137, now on general orders.

"An act to amend chapter 590 of the Laws of 1872, entitled 'An act to regulate processions and parades in the cities of the State of New York.'"

On motion of Mr. Brodsky said bill was substituted for the Assembly bill on the same subject.

"An act to declare women eligible to serve as school trustees."

On motion of Mr. Husted said bill was substituted for Assembly bill on the same subject.

"An act making appropriation for continuing work upon the new Capitol during the winter and spring of the year 1880," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

"An act to amend the Code of Civil Procedure."

The Senate returned the bill entitled "An act making an appropriation to pay the expense of the publication of the concurrent resolutions proposing amendments to the Constitution, under the direction of the Secretary of State in 1879," with a message that they have concurred in the passage of the same without amendment.

*Ordered*, That the Clerk deliver said bill to the Governor.

The bill entitled "An act to abolish the use of weigh-locks on the canals," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Hynes	Russell
Ash	Cushing	Lindsay	Sheridan

Baker, C. S.	Davis	Low	Sherman
Beach	Dougherty	McAvoy	Sipp
Benedict, E. D.	Douglass	McCabe	Sisson
Benedict, T. E.	Duell	McTernan	Skinner
Bradley	Duguid	Miller	Terpeny
Brodsky	Evans	Mitchell	Terry
Bullock	Ferris	Newman	Titus
Carpenter, I. S.	Fish	Nowlan	Travis
Case	Fiske	O'Brien	Treanor
Catlin	Gibbs	Parker	Tully
Chamberlain	Gorsline	Peck	Tuttle, R. M.
Chickering	Gray	Phillips	Van Valkenburgh
Childs	Grosse	Pitcher	Waterbury
Clark	Gwinup	Potter	Weston
Clowes	Hayes	Potts	Wiley
Cohen	Hoffman	Rhodes	Wren
Congdon	Howland	Roberts	Youngs
Costello	Hurd	Root	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 222 of the Laws of 1879, entitled 'An act to consolidate the several school districts in the town of Grand Island, Erie county, and to provide for a board of education therein,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	Kennedy	Shuit
Andrews	Davis	Lefever	Sipp
Ash	Dougherty	Low	Sisson
Baker, B. F.	Douglass	McAvoy	Skinner
Baker, C. S.	Duell	McCabe	Slingerland
Beach	Duguid	McCarthy	Tallmadge
Benedict, E. D.	Evans	Miller	Terpeny
Benedict, T. E.	Ferris	Mitchell	Terry
Bennett	Fitzgerald	Morgan	Titus
Brodsky	Gillette	Newman	Travis
Bullock	Gorsline	Nowlan	Tully
Carpenter, I. S.	Griggs	O'Brien	Tuthill, H. H.
Catlin	Grosse	O'Connor	Tuttle, R. M.
Chamberlain	Gwinup	Parker	Van Valkenburgh
Childs	Hayes	Phillips	Waterbury
Clark	Hoffman	Rhodes	Wells, D. A.
Clowes	Howland	Roberts	Weston
Congdon	Hurd	Root	Wiley
Crapeer	Husted	Russell	Youngs
Cullinan	Hynes	Sherman	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker presented a copy of the report of the New York commissioners appointed to settle the disputed boundary line between the State of New York and Connecticut, pursuant to chapter 166 of the Laws of 1879, which was laid on the table and ordered printed.

(See Doc. No. 27.)



The bill entitled "An act to amend chapter 863 of the Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn, and the various amendments thereof,' " was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	McCabe	Skinner
Andrews	Cushing	McTernan	Slingerland
Ash	Davis	Miller	Steele
Baker, B. F.	Dougherty	Mitchell	Tallmadge
Baker, C. S.	Duguid	Mooers	Terpeny
Beates	Evans	Newman	Terry
Benedict, E. D.	Fish	Parker	Thilemann
Benedict, T. E.	Gibbs	Peck	Tormey
Bradley	Gorsline	Potts	Tozier
Brodsky	Griggs	Rhodes	Travis
Bullock	Gwinup	Roberts	Treanor
Carpenter, E. A.	Hayes	Root	Tully
Carpenter, I. S.	Hoffman	Russell	Tuthill, H. H.
Case	Howland	Sanders	Tuttle, R. M.
Catlin	Husted	Seeley	Van Valkenburgh
Chickering	Hynes	Shanley	Walsh
Childs	Ingersoll	Sheridan	Waterbury
Clark	Kennedy	Sherman	Wells, D. A.
Cohen	Lefever	Shuit	Wiley
Congdon	Lindsay	Sipp	Wren
Cookinham	Low	Sisson	Youngs
Costello	McAvoy		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to declare women eligible to serve as school trustees," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 3 }

Those who voted in the affirmative, were

Alvord	Congdon	McCarthy	Sipp
Andrews	Costello	Miller	Sisson
Ash	Crapser	Mitchell	Skinner
Baker, C. S.	Cushing	Mooers	Steele
Beach	Davis	Morgan	Tallmadge
Beates	Douglass	Newman	Terpeny
Benedict, E. D.	Duguid	Nowlan	Terry
Benedict, T. E.	Evans	O'Brien	Thilemann
Bennett	Fish	Parker	Titus
Bradley	Gibbs	Phillips	Tormey
Brodsky	Gorsline	Pitcher	Tozier
Bullock	Gray	Potter	Travis

Carpenter, E. A.	Grosse	Rhodes	Tully
Carpenter, I. S.	Hoffman	Roberts	Tuthill, H. H.
Case	Howland	Root	Tuttle, R. M.
Chamberlain	Husted	Russell	Van Valkenburgh
Chickering	Ingersoll	Sanders	Waterbury
Childs	Kennedy	Sheridan	Wells, D. A.
Clark	Lefever	Sherman	Weston
Clowes	Lindsay	Shuit	Wren
Cohen	Low		

Those who voted in the negative, were

Havens	Hynes	Peck
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*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Chickering (introductory No. 368), entitled "An act to provide for the organization and formation of companies for the purpose of increasing the water supply of any river or stream in this State in aid of the milling and manufacturing interests thereof," reported said bill for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Benedict (introductory No. 164), entitled "An act to provide for the election of a town treasurer in the town of Gravesend in the county of Kings, and to regulate and prescribe the duties of said office," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Youngs (introductory No. 388), entitled "An act entitled an act to authorize the town of Flushing in Queens county to borrow money and issue bonds therefor, for the purpose of paying the indebtedness of said town," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Hoffman (introductory No. 389), entitled "An act in relation to the equalization and assessment of taxes in the county of Chemung," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Parker (introductory No. 365), entitled "An act to amend chapter 34 of the Session Laws of 1876, entitled 'An act to provide for the payment of a portion or the whole of the bounty debt in the county of Greene, by issuing new bonds,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Evans, from the committee on internal affairs, to which was

referred the bill introduced by Mr. Travis (introductory No. 26), entitled "An act in relation to keeping open the offices of the register, county clerk and county treasurer, of the county of Westchester," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Bradley (introductory No. 268), entitled "An act to amend chapter 888 of the Laws of 1869, entitled 'An act to amend title 16, chapter 8, part 3 of the Revised Statutes, relative to proceedings for the drainage of swamps, marshes and other wet lands, and for draining farm lands,'" reported said bill for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Catlin (introductory No. 438), entitled "An act to provide for the refunding of a portion of the bonded debt of the town of Westchester, and to restrict the power of the town officers to bond the said town except as provided in chapter 193 of the Laws of 1877," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Tallmadge introduced a bill entitled "An act to suppress intemperance, pauperism and crime, and to regulate the sale of intoxicating liquors, wines, ale and beer in the cities of New York and Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

The bill entitled "An act to provide for the improvement and care of private parks in the several cities in this State," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costello	Hoffman	Shanley
Andrews	Crapser	Howland	Sheridan
Ash	Cullinan	Hynes	Sherman
Baker, B. F.	Curtis	Ingersoll	Skinner
Baker, C. S.	Cushing	Kennedy	Slingerland
Beach	Davis	Lefever	Steele
Beates	Deane	Lindsay	Tallmadge
Benedict, E. D.	Douglass	Low	Terpeny
Bradley	Duell	McAvoy	Terry
Bridges	Duguid	McDonald	Thilemann
Brodsky	Ellis	McTernan	Titus
Carpenter, E. A.	Evans	Newman	Tozier
Carpenter, I. S.	Fish	Nowlan	Travis
Case	Fitzgerald	O'Brien	Treanor

Catlin	Gibbs	Parker	Tully
Chickering	Gorsline	Peck	Tuthill, H. H.
Childs	Gray	Phillips	Tuttle, R. M.
Clark	Griggs	Potts	Waterbury
Clowes	Grosse	Roberts	Wells, D. A.
Cohen	Gwinup	Root	Wiley
Congdon	Hagan	Russell	Wren
Cookinham	Hayes	Seeley	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to enforce collection of the taxes levied in the county of Oneida," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Hurd	Shanley
Andrews	Cullinan	Hynes	Sheridan
Baker, B. F.	Curtis	Ingersoll	Sherman
Baker, C. S.	Cushing	Kennedy	Sipp
Beach	Davis	Lefever	Sisson
Beates	Dougherty	Lindsay	Skinner
Benedict, E. D.	Douglass	Low	Slingerland
Benedict, T. E.	Duell	McAvoy	Steele
Bradley	Duguid	McCabe	Tallmadge
Bridges	Ellis	McCarthy	Terpeny
Bullock	Evans	McDonald	Terry
Carpenter, E. A.	Ferris	McTernan	Thilemann
Carpenter, I. S.	Fish	Mitchell	Titus
Catlin	Fitzgerald	Nowlan	Travis
Chamberlain	Gibbs	Parker	Tuttle, R. M.
Chickering	Gorsline	Peck	Van Valkenburgh
Childs	Gray	Potter	Waterbury
Clark	Griggs	Potts	Wells, D. A.
Clowes	Grosse	Roberts	Wells, J. L.
Congdon	Gwinup	Root	Wiley
Cookinham	Hoffman	Seeley	Wren

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Hoffman introduced a bill entitled "An act to amend chapter 370 of the Laws of 1875, entitled 'An act to amend and consolidate the several acts relating to the city of Elmira,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Bridges, from the committee on public printing, to which was referred the resolution to print extra copies of the Centennial Celebration of the State of New York, reported in favor of the adoption of the following resolution:

*Resolved* (if the Senate concur), That there be printed of the

Centennial Celebration of the State of New York eight copies for each Senator and Member of Assembly, and five copies for each officer and reporter of the Legislature.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 82 }  
{ NOES 20 }

Those who voted in the affirmative, were

Alvord	Crapsier	Hynes	Russell
Andrews	Cullinan	Ingersoll	Sanders
Ash	Curtis	Kennedy	Sheridan
Baker, B. F.	Cushing	Lefever	Shuit
Beach	Davis	Lindsay	Sipp
Beates	Dougherty	Low	Slingerland
Benedict, E. D.	Douglass	McAvoy	Tallmadge
Bennett	Duell	McCarthy	Terpeny
Bradley	Duguid	McTernan	Terry
Bridges	Ellis	Miller	Thilemann
Brodaky	Evans	Mooers	Tormey
Bullock	Ferris	Newman	Tuttle, R. M.
Carpenter, E. A.	Fish	Nowlan	Van Valkenburgh
Carpenter, I. S.	Fitzgerald	O'Brien	Walsh
Catlin	Gibbs	Peck	Waterbury
Chamberlain	Gray	Phillips	Wells, J. L.
Chickering	Griggs	Potter	Weston
Childs	Hagan	Potts	Wiley
Clowes	Hayes	Rhodes	Wren
Congdon	Hoffman	Roberts	Youngs
Cookinham	Howland		

Those who voted in the negative, were

Baker, C. S.	Grosse	Parker	Tozier
Benedict, T. E.	Havens	Seeley	Travis
Case.	McCabe	Sherman	Treanor
Cohen	McDonald	Skinner	Tuthill, H. H.
Costello	Mitchell	Titus	Mr. Speaker

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Bridges, from the committee on public printing, to which was referred the Senate resolution relating to printing 1,000 copies of the report of the Auditor of the Canal Department, for the fiscal year ending September 25, 1879, reported in favor of the adoption of the following amended resolution :

*Resolved* (if the Assembly concur), That 1,000 copies of the annual report of the Auditor of the Canal Department, for the fiscal year ending 25th September, 1879, be printed for the use of the Legislature, and 600 copies thereof for the use of the Auditor's Department.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 69 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Curtis	Lindsay	Sherman
Andrews	Cushing	Low	Shuit
Baker, B. F.	Davis	McAvoy	Sipp
Baker, C. S.	Dougherty	McCarthy	Skinner
Beach	Duguid	McTernan	Slingerland
Beates	Evans	Miller	Terpeny
Benedict, E. D.	Fish	Mooers	Thilemann
Benedict, T. E.	Gibbs	Nowlan	Tozier
Bridges	Gray	O'Brien	Travis
Brodsky	Grosse	Parker	Treanor
Carpenter, I. S.	Hoffman	Potts	Tuttle, R. M.
Catlin	Howland	Rhodes	Van Valkenburgh
Chamberlain	Hurd	Roberts	Waterbury
Chickering	Husted	Root	Wells, D. A.
Congdon	Hynes	Russell	Wells, J. L.
Cookinham	Kennedy	Sanders	Wiley
Costello	Lefever	Shanley	Wren
Cullinan			

Those who voted in the negative, were

Carpenter, E. A. McDonald

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The hour of 2 having arrived the House adjourned.

## THURSDAY MORNING, FEBRUARY 12, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Wm. Irvin.

The journal of yesterday was read and approved.

The Senate sent for concurrence the bill entitled as follows:

"An act to reappropriate certain moneys in the Treasury for the improvement of the Champlain canal, and of the Glens Falls feeder," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Cookinham moved that the bill No. 95, entitled "An act to amend chapter 446, Laws of 1879, entitled 'An act to amend chapter 361, Laws of 1867, entitled 'An act authorizing supplementary proceedings for the collection of taxes,'" be recommitted to the committee on ways and means.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Privileges of the floor were granted to Hon. A. M. Suydam, former member of this House, also, Hon. C. P. Vedder.

Mr. Beates introduced a bill entitled "An act to validate the certificate of incorporation and to legalize the acts of the Walton Water Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Hurd introduced a bill entitled "An act to amend an act entitled 'An act entitled 'An act to prevent certain abuses upon the

canals of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Brennan introduced a bill entitled "An act to amend chapter 80 of the Laws of 1870, entitled 'An act to provide for the enrollment of the militia, for the organization of the National Guard of the State of New York, and for the public defense, and entitled 'The Military Code,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on militia.

Mr. D. A. Wells introduced a bill entitled "An act to exempt Fulton county from the provisions and operations of chapter 175 of the Laws of 1870, entitled 'An act creating a board of town auditors in the several towns of this State and to prescribe their duties,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Wren introduced a bill entitled "An act in relation to the board of health, in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Mr. Kennedy introduced a bill entitled "An act to regulate the use of intoxicating liquors in poor-houses, juvenile reformatories, protectories, houses of refuge, jails, penitentiaries and prisons," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Brodsky introduced a bill entitled "An act to repeal section 3 of chapter 300 of the Laws of 1874, entitled 'An act to amend chapter 335 of the Laws of 1873, entitled 'An act to reorganize the local government of the city of New York,' passed April 30, 1873, and the acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Deane introduced a bill entitled "An act to amend chapter 319 of the Laws of 1848, entitled 'An act for the incorporation of benevolent, charitable, scientific and missionary societies,' passed April 12, 1848," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Dougherty introduced a bill entitled "An act to amend an act entitled 'An act to require the Eighth Avenue Railroad Company to extend its railroad route in the city of New York and to regulate the use and operation of the railroad of said company,' passed May 19, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Gibbs introduced a bill entitled "An act to regulate the carrying of passengers on street railroads," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Fiske introduced a bill entitled "An act to amend the charter of the village of Edgewater," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. R. M. Tuttle, by request, introduced a bill entitled "An act to suppress tippling and the drink trade in the county of Steuben, and to amend chapter 628 of the Laws of 1857, entitled 'An act to suppress intemperance and to regulate the sale of intoxicating liquors, so far as the same relates to the county of Steuben,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Sisson introduced a bill entitled "An act to release the interest of the People of the State of New York in and to certain real estate in the city of Troy, in the county of Rensselaer, of which Arthur Mooney died seized, to Mary Jane Mooney, his widow," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Andrews introduced a bill entitled "An act conferring additional powers and duties upon the mayor of the city of Binghamton," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Catlin introduced a bill entitled "An act to amend chapter 83 of the Laws of 1879, entitled 'An act to dissolve the corporation known as the trustees of the town of Westchester, to abolish the office of trustee of said town, and to preserve the records of said town,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Clowes introduced a bill entitled "An act to amend chapter 268 of the Laws of 1877, entitled 'An act in relation to the collection of taxes and the sale of land therefor in certain towns in Queens county,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, the bill entitled, "An act to amend chapter 410 of the Laws of 1878, entitled 'An act to improve Flushing avenue, Long Island City,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Terry introduced a bill entitled "An act to encourage improvement in steam propulsion upon the Champlain canal," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Childs introduced a bill entitled "An act to authorize the sale by towns and villages in the county of Cortland of capital stock in railroad companies," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Childs, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord  
Andrews

Cookinham  
Costello

Kennedy  
Lefever

Sheridan  
Sherman



canals of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Brennan introduced a bill entitled "An act to amend chapter 80 of the Laws of 1870, entitled 'An act to provide for the enrollment of the militia, for the organization of the National Guard of the State of New York, and for the public defense, and entitled 'The Military Code,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on militia.

Mr. D. A. Wells introduced a bill entitled "An act to exempt Fulton county from the provisions and operations of chapter 175 of the Laws of 1870, entitled 'An act creating a board of town auditors in the several towns of this State and to prescribe their duties,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Wren introduced a bill entitled "An act in relation to the board of health, in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Mr. Kennedy introduced a bill entitled "An act to regulate the use of intoxicating liquors in poor-houses, juvenile reformatories, protectories, houses of refuge, jails, penitentiaries and prisons," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

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Mr. Dougherty introduced a bill entitled "An act to amend an act entitled 'An act to require the Eighth Avenue Railroad Company to extend its railroad route in the city of New York and to regulate the use and operation of the railroad of said company,' passed May 19, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Gibbs introduced a bill entitled "An act to regulate the carrying of passengers on street railroads," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

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Mr. Sisson introduced a bill entitled "An act to release the interest of the People of the State of New York in and to certain real estate in the city of Troy, in the county of Rensselaer, of which Arthur Mooney died seized, to Mary Jane Mooney, his widow," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

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Mr. Clowes introduced a bill entitled "An act to amend chapter 268 of the Laws of 1877, entitled 'An act in relation to the collection of taxes and the sale of land therefor in certain towns in Queens county,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, the bill entitled "An act to amend chapter 410 of the Laws of 1878, entitled 'An act to improve Flushing avenue, Long Island City,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Terry introduced a bill entitled "An act to encourage improvement in steam propulsion upon the Champlain canal," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Childs introduced a bill entitled "An act to authorize the sale by towns and villages in the county of Cortland of capital stock in railroad companies," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Childs, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord  
Andrews

Cookinham  
Costello

Kennedy  
Lefever

Sheridan  
Sherman

Ash	Crapser	Lindsay	Shuit
Baker, B. F.	Cullinan	Low	Sisson
Beach	Curtis	McAvoy	Skinner
Beates	Dougherty	McTernan	Slingerland
Benedict, E. D.	Douglass	Miller	Steele
Benedict, T. E.	Duguid	Mitchell	Tallmadge
Brennan	Ellis	Morgan	Terpeny
Bridges	Evans	O'Brien	Terry
Brodsky	Ferris	O'Connor	Thilemann
Bullock	Fish	Parker	Titus
Carpenter, E. A.	Gibbs	Peck	Tully
Carpenter, I. S.	Gillette	Phillips	Tuttle, R. M.
Case	Gorsline	Potter	Van Valkenburgh
Chamberlain	Gray	Roberts	Varnum
Chase	Gwinup	Root	Wells, D. A.
Childs	Havens	Russell	Weston
Clark	Hoffman	Sanders	Wren
Clowes	Howland	Shanley	Mr. Speaker
Congdon			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Dougherty (introductory No. 105), entitled "An act in relation to runners or solicitors of passengers or patronage for steamers, steamboats, ships, vessels, hotels, railroads or transportation companies in the city of New York," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Tully (introductory No. 296), entitled "An act to amend chapter 363 of the Laws of 1878, entitled 'An act in relation to the regrading and paving of Grand street, from Union avenue to Bushwick, avenue, in the city of Brooklyn, with Belgian pavement,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Skinner (introductory No. 429), entitled "An act to amend sections 4 and 5 of title 2 of chapter 714 of the Laws of 1869, entitled 'An act to incorporate the city of Watertown,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 33), entitled "An act to authorize the common council of the city of Poughkeepsie to construct a building for recorder's court room, police head-quarters, lock-up and city offices, and to provide means for the payment therefor," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Pitcher, and by unanimous consent, the committee of the whole was discharged from the further consideration of said bill, and the same ordered to a third reading.

Mr. Skinner, from the committee on railroads, to which was referred the bill introduced by Mr. Bennett (introductory No. 116), entitled "An act in relation to railroad companies in the State of New York," reported the same for the consideration of the House.

On motion of Mr. Skinner, and by unanimous consent, said bill was ordered recommitted, when printed, not retaining its place on general orders.

Mr. Bridges, from the committee on public printing, to which was referred the resolution to print extra copies of the report of the Trustees of the New York Asylum for Idiots, reported in favor of the adoption of the following resolution :

*Resolved* (if the Senate concur), That there be printed 250 copies of the report of the Trustees of the New York Asylum for Idiots, for the use of the trustees."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Bridges, from the committee on public printing, to which was referred the resolution to print extra copies of the report of the Superintendent of the Onondaga Salt Springs, reported in favor of the adoption of the following resolution :

*Resolved* (if the Senate concur), That there be printed 250 copies of the report of the Superintendent of the Onondaga Salt Springs, for the use of the superintendent.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Curtis, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Russell (introductory No. 219), entitled "An act to amend an act entitled 'An act to incorporate the New York State Convention of Universalists,' passed April 12, 1862, for the purpose of organizing a missionary board and defining its powers and duties," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Curtis, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Cohen (introductory No. 61), entitled "An act to amend chapter 440 of the Laws of 1879, entitled 'An act to authorize the benevolent society in the city of New York, known as the Malmonides Benevolent Society, to buy, hold and dispose of lands for cemetery purposes,'" reported adversely thereto, which report was agreed to.

Mr. Cohen moved to disagree with the report of said committee, and that said bill be referred to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Curtis, from the committee on charitable and religious societies, to which was referred the Senate bill (introductory No. 72), entitled "An act authorizing such women and girls as are vagrants, or convicted of misdemeanors as a first offense, to be sent to the Shelter for Homeless Women in the city of Syracuse," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Curtis, from the committee on charitable and religious societies, to which was referred the Senate bill (introductory No. 76), entitled "An act authorizing the Trustees of the Pine Ridge Cemetery Association of Sennett to grant and convey to the city of Auburn certain lands for a public cemetery," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Curtis, from the committee on charitable and religious societies, to which was referred the Senate bill (introductory No. 77), entitled "An act to authorize the city of Auburn to take by gift, grant or devise, lands in the town of Sennett for a public cemetery, and to provide for the care, management and protection of the same," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Brennan moved that the bill entitled "An act to provide for the revision, amendment and consolidation of the Military Code," be referred to the committee on ways and means.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Tozier, from the committee on general laws, to which was referred the bill introduced by Mr. Husted (introductory No. 344), entitled "An act to incorporate the American Jersey Cattle Club for improving the breeding of Jersey cattle in the United States," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Weston, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Travis (introductory No. 109), entitled "An act to amend chapter 522 of the Laws of 1865, entitled 'An act to amend title 1 of chapter 16 of first part of Revised Statutes, in regard to roads and bridges, and the appointment of overseers of highways,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

The following communication was received from the committee on general laws:

"The committee on general laws respectfully represent and report to the Assembly, that they are seriously embarrassed in the transaction of the public business delegated to them by the fact that they are deprived of a clerk and are without a messenger."

*Ordered*, That the above communication be referred to the committee on expenditures of the House.

Mr. Kennedy, from the committee on claims, to which was referred the bill introduced by Mr. Cookinham (introductory No. 203), entitled "An act for the relief of Theodore P. Ballou," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Fish introduced a bill entitled "An act to legalize the acts of Henry Stout as justice of the peace," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

This being the day assigned, under the rule, for the consideration of general orders,

Mr. Phillips moved to recommit the bill entitled "An act to amend chapter 287 of the Laws of 1879, entitled 'An act to provide for the formation of county and town co-operative insurance companies,'" to the committee on insurance.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act conferring additional powers and duties upon the board of education of school district number 4, in the village of Johnstown, Fulton county."

"An act supplemental to the Code of Civil Procedure."

"An act for the better security of mechanics, laborers and others who perform labor or furnish materials for buildings and other improvements on land, in the city of Buffalo."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. VanValkenburgh, from said committee, reported progress upon said bills, and asked and obtained leave to sit again.

Mr. Roberts moved to discharge the committee of the whole from the further consideration of said bills, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Leave of absence was granted to Mr. I. S. Carpenter for the week.

The Senate returned the following resolutions, with a message that they have concurred therein :

*Resolved* (if the Senate concur), That a special joint committee be constituted, to consist of three members of the Senate to be appointed by the Lieutenant-Governor, and five members of the Assembly to be appointed by the Speaker, to consider the matter of the revision of the tax laws of this State, and of amendments thereto; also the best method of taxation; said committee to report at as early a day as practicable in the present session.

*Resolved* (if the Senate concur), That the Adjutant-General of the State be directed to return, upon application, the property temporarily deposited by Captain Frank E. Brownell, in the Bureau of Military Statistics, consisting of one Zouave uniform and two guns, the same being the personal property of the same Brownell.

*Resolved* (if the Senate concur), That 500 extra copies of the list of the committees of the Assembly be printed for the use of the Assembly.

The Senate returned the bill entitled "An act to amend chapter 277 of the Laws of 1868, entitled 'An act to amend an act entitled 'An act to provide for the incorporation of villages, passed December 7, 1847,' and the several acts amending the same, so far as relates to the village of Baldwinsville, Onondaga county,'" with a message that they have concurred in the amendments made therein in the Assembly.

*Ordered*, That the Clerk deliver said bill to the Governor.

Also, the bill entitled "An act making an appropriation to carry out the provisions of chapter 134 of the Laws of 1878, and chapter 306 of the Laws of 1879, entitled respectively 'An act in relation to infectious and contagious diseases of animals,' and to provide for liquidating and discharging all obligations incurred thereunder by the agents of the State,'" with a message that they have concurred in the passage of the same without amendment.

*Ordered*, That the Clerk deliver said bill to the Governor.

The House again resolved itself into a committee of the whole on the bills entitled as follows :

"An act to provide for the construction of fishways in the State dams across the Oswego, Oneida and Seneca rivers."

"An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game.'"

"An act to prevent frauds against creditors in matters of record."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Sherman, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Sherman, from said committee, also reported in favor of the passage of the last named bill, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act in relation to and reducing the number of justices of the peace, creating judicial districts and providing for local inferior courts in the city of Brooklyn."

"An act to amend section 10 of title 8 of chapter 77 of the Laws of 1870, entitled 'An act to amend the act to combine into one act the several acts relating to the city of Albany, passed April 12, 1842, and the several acts amendatory thereof; and also to repeal the act to establish a capital police district and to provide for the government thereof, passed April 22, 1865, and the several acts amendatory thereof, in so far as they relate to the city of Albany.'"

Mr. Curtis offered for the consideration of the House the following privileged resolution:

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor requesting the return of Assembly bill entitled "An act to authorize the sale, by towns and villages in the counties of Chenango, Delaware, Madison, Ulster and Sullivan, and the towns of Pittsfield and Edmeston, in the county of Otsego, of capital stock in railroad companies," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate returned the bill entitled "An act authorizing the board of supervisors of the county of Kings to purchase land for the purposes of the National Guard," with a message that they have concurred in the passage of the same, with the following amendments:

Strike out all after the enacting clause and insert as follows:

"An act authorizing the board of supervisors of the county of Kings to purchase land for the purposes of the National Guard."

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The board of supervisors of the county of Kings are hereby authorized to raise by tax, or by the issue of certificates of indebtedness, a sum not to exceed \$57,400 for the purpose of purchasing land in said county, upon which the State is to erect an armory, pursuant to the provisions of chapter 272 of the Laws of 1879; such land to be purchased in conformity with the terms and conditions named in a resolution adopted by said board of supervisors November 20, 1879. The payment of said certificates of indebtedness shall be provided for in three annual installments, in the three annual tax levies of said county next succeeding, and interest thereon shall not exceed five per cent per annum.

Sec. 2. Upon the erections by the State of the armory, as provided in chapter 272 of the Laws of 1879, and its occupation in pursuance of the provisions of said law, the board of supervisors of the county of Kings are authorized to dispose of the armories now occupied by

the 32d and 47th Regiments of the National Guard. The proceeds of the sale of said armories shall be used for the purpose of redeeming the certificates of indebtedness authorized to be issued in the first section of this act, or if said certificates shall have been redeemed, then the amount derived from the sale of said armories shall be credited to the general fund of said county of Kings, and shall be deducted from the annual tax-levy next succeeding.

Sec. 3. In case of the sale of the armories aforesaid, such sale shall be by public auction, under the direction of the county treasurer and upon such terms and conditions as shall be designated by the board of supervisors of Kings county.

Sec. 4. This act shall take effect immediately.

Mr. Husted moved to lay said bill, with Senate amendments, on the table, and that said amendments be printed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Wiley moved to reconsider the vote by which the Assembly Chamber was given for a meeting of citizens of Albany, yesterday, to be held on Friday, February 12, 1880.

Mr. Speaker put the question whether the House would agree to the reconsideration of said vote, and it was determined in the affirmative.

Mr. Wiley, with the consent of the House, withdrew said resolution.

By unanimous consent,

Mr. Seeley introduced a bill entitled "An act to authorize the Knickerbocker Casualty Insurance Company to increase its capital stock," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Husted moved that the House now resolve itself into a committee of the whole on the bill entitled "An act for the preservation of fish in Cool brook, in the town of Wellsville, in the county of Allegany."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The House then resolved itself into a committee of the whole on the bill entitled as follows :

"An act for the preservation of fish in Cool brook, in the town of Wellsville, in the county of Allegany."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Clancy, from said committee, reported in favor of the passage of said bill, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Alvord moved that the House now resolve itself into committee of the whole on Senate bill entitled "An act to authorize the Attica Water Company to purchase, hold, operate and maintain the gas-works, pipes, fixtures, machinery and real estate used in connection therewith, now in the village of Attica, Wyoming county, New York."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The House then resolved itself into a committee of the whole on the bill entitled as follows :

Senate, "An act to authorize the Attica Water Company to purchase, hold, operate and maintain the gas-works, pipes, fixtures, machinery



and real estate used in connection therewith, now in the village of Attica, Wyoming county, New York."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Mitchell, from said committee, reported in favor of the passage of said bill, which report was agreed to, and the same ordered to a third reading.

By unanimous consent,

Mr. E. A. Carpenter presented a petition relative to the reduction of fees in pilots; which was read and referred to the committee on commerce and navigation.

By unanimous consent,

Mr. Husted presented a petition relative to the Sailors and Soldiers' Home; which was read and referred to the committee on ways and means.

By unanimous consent,

Mr. Carpenter presented a petition of residents of Suffolk county requesting the Legislature to devise some measures for the amelioration of the condition of convicted and incarcerated women, and to provide separate institutions for their detention and incarceration; which was read and referred to the committee on state prisons.

Mr. Speaker presented the annual report of the State Engineer and Surveyor on companies navigating the lakes and rivers for 1879; which was laid on the table and ordered printed.

(See Doc. No. 55.)

Mr. Curtis moved to discharge the committee on charitable and religious societies from the further consideration of the bill entitled "An act to secure or protect bequests of a charitable or public character," and that said bill be referred to the committee on the judiciary.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Husted, and at 1 o'clock and 50 minutes, the House adjourned.

## FRIDAY MORNING, FEBRUARY 13, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Dr. William Irvin.

The journal of yesterday was read and approved.

Privileges of the floor were granted to Hon. William Titus, of Cayuga, former member of this House.

Mr. Griggs presented a report from the committee on general laws for the year 1879, in reference to the government of the poor-houses, and for the relief of the poor in the several towns and counties of this State; which was laid on the table and ordered printed.

(See Doc. No. 57.)

Mr. Griggs introduced a bill entitled "An act to revise and consolidate the general acts relating to the relief and support of indigent persons, which was read the first time, and by unanimous consent was also read the second time, and referred to the committee of the whole.

Mr. O'Brien introduced a bill entitled "An act to amend chapter 466 of the Laws of 1877, entitled 'An act in relation to assignments of the estates of debtors for the benefit of creditors,'" which was read

the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Hurd introduced a bill entitled "An act to amend an act entitled 'An act to fix the time for transacting the business of the town at the annual town meeting for the election of town officers,' passed April 14, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Newman, by request, introduced a bill entitled "An act in relation to railroads in cities and villages," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Clowes introduced a bill entitled "An act creating a board of town auditors in the town of Newtown, Queens county, and prescribing their powers and duties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, the bill entitled "An act to enable the town of Newtown, in Queens county, to fund a portion of its bonded debt at a reduced rate of interest," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill entitled "An act to alter the system of working and repairing the highways of the town of Newtown, in Queens county, and to reduce the expenses of said town," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. B. F. Baker introduced a bill entitled "An act to exempt the county of Saratoga from the provisions of act, chapter 733, Laws of 1872, so far as it authorizes the employment of assistant counsel to the district attorney of any county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Varnum (introductory No. 434), entitled "An act to provide for the revision, amendment and consolidation of the Military Code," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Husted, from the committee on ways and means, to which was referred the Senate bill (introductory No. 41), entitled "An act making appropriation for continuing work upon the new capitol during the winter and spring of the year 1880," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Travis, from the committee on the judiciary, to which was referred the bill introduced by Mr. Mitchell (introductory No. 86), entitled "An act to amend section 236 of the Code of Civil Procedure," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Travis, from the committee on the judiciary, to which was referred the bill introduced by Mr. Roberts (introductory No. 257), entitled "An act to establish a local court of civil jurisdiction in the

city of Buffalo, to be called The Municipal Court of Buffalo, and to amend the charter of said city," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Travis, from the committee on the judiciary, to which was referred the bill introduced by Mr. Roberts (introductory No. 449), entitled "An act to amend chapter 519 of the Laws of 1870, entitled 'An act to revise the charter of the city of Buffalo,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Travis, from the committee on the judiciary, to which was referred the bill introduced by Mr. Terry (introductory No. 218), entitled "An act to establish a Civil Code," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Travis, from the committee on the judiciary, to which was referred the bill introduced by Mr. Terry (introductory No. 216), entitled "An act to establish a Penal Code," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Travis, from the committee on the judiciary, to which was referred the bill introduced by Mr. Mitchell (introductory No. 217), entitled "An act to establish a Code of Criminal Procedure," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Tozier, from the committee on general laws, to which was referred the bill presented by the committee on general laws, reported by bill entitled "An act to amend chapter 379 of the Laws of 1879, entitled 'An act prescribing the officers and employees that may be elected, appointed or employed by the Senate and Assembly, fixing the salary and compensation thereof, and regulating the proceedings of investigating committees, and providing for the payment of the expenses thereof,'" which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. C. S. Baker, from the committee on insurance, to which was referred the bill introduced by Mr. Seeley (introductory No. 481), entitled "An act to authorize the Knickerbocker Casualty Insurance Company to increase its capital stock," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. C. S. Baker, from the committee on insurance, to which was recommitted the bill introduced by Mr. Phillips (introductory No. 169), entitled "An act to amend chapter 287, Laws of 1879, entitled 'An act to provide for the formation of county and town co-operative insurance companies,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Steele offered for the consideration of the House a resolution in the words following :

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor, requesting the return of Assembly bill entitled "An act to exempt the county of Oswego, except the towns of Mexico, Richland and Sandy Creek, from the provisions and operation of chap-

ter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State and to prescribe their powers and duties,' for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Roberts (introductory No. 31), entitled "An act to amend chapter 716 of the Laws of 1868, entitled 'An act to provide a water supply in the city of Buffalo,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Roberts (introductory No. 29), entitled "An act to amend chapter 519 of the Laws of 1870, entitled 'An act to revise the charter of the city of Buffalo,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Roberts (introductory No. 34), entitled "An act to repeal chapter 829 of the Laws of 1873, entitled 'An act to empower the board of water commissioners of the city of Buffalo, together with the common council of said city, to establish or designate free public hydrants in said city and providing for the appointment of water commissioners in said city,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Peck (introductory No. 451), entitled "An act to authorize the common council of the city of Ogdensburg to raise money for the purpose of finishing and furnishing additional school rooms of said city," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Comstock (introductory No. 374), entitled "An act to amend chapter 126 of the Laws of 1873, entitled 'An act to organize a board of school commissioners in and for the city of Troy,' passed March 25, 1873, and the several acts amendatory thereof," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Sheridan (introductory No. 83), entitled "An act to confer on the board of supervisors of the county of Kings power to purchase certain supplies without advertisement," reported in favor of the passage of the same with amendments, and with the title amended so as to read as follows: "An act to further amend chapter 491 of the Laws of 1871, entitled 'An act to provide for the relief and support of the poor of the county of Kings, and to change the name of the office of the superintendents of the poor therein to the office of the commissioners of charities of the county of Kings,' passed April 14, 1871," which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was

referred the bill introduced by Mr. Terry (introductory No. 72), entitled "An act to amend an act to incorporate the city of Troy, passed April 12, 1816, and the several acts amendatory thereof and supplementary thereto," reported in favor of the passage of the same with amendments, and with the title amended so as to read as follows: "An act to amend an act entitled 'An act to incorporate the city of Troy,' passed April 12, 1816, and the several acts amendatory thereof and supplementary thereto," which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Comstock (introductory No. 370), entitled "An act to establish and maintain a police force in the city of Troy," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Skinner, from the committee on railroads, to which was referred the bill introduced by Mr. Sharpe (introductory No. 271), entitled "An act to repeal section 3, chapter 683 of the Laws of 1873, entitled 'An act to provide for the extension of the New York and Kingston and Syracuse railroads,'" reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Skinner, from the committee on railroads, to which was referred the bill introduced by Mr. Husted (introductory No. 325), entitled "An act to prevent intrusion upon railroad cars and engines," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Skinner, from the committee on railroads, to which was referred the bill introduced by Mr. Oatlin (introductory No. 146), entitled "An act to amend chapter 195 of the Laws of 1846, entitled 'An act to authorize the New York and New Haven Railroad Company to extend their railroad from the Connecticut line to the New York and Harlem railroad,'" reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Skinner, from the committee on railroads, to which was referred the bill introduced by Mr. Sharpe (introductory No. 270), entitled "An act to repeal chapter 458 of the Laws of 1871, entitled 'An act to provide for the extension of the Rondout and Oswego railroad to the east bank of the Hudson river,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Fiske (introductory No. 381), entitled "An act to amend, revise and consolidate an act entitled 'An act to incorporate the village of New Brighton,' passed April 20, 1866, and amended April 7, 1867, April 27, 1871, March 27, 1872, and May 14, 1873, so that the several sections thereof shall read respectively as follows," reported said bill for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Fiske (introductory No. 24), entitled "An act to enable the trustees of villages in the county of

Richmond to contract for a supply of water to such villages for fire and other public purposes, and to raise and expend money therefor," reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Skinner (introductory No. 447), entitled "An act in relation to the incorporation of villages," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Youngs (introductory No. 418), entitled "An act to authorize the trustees of the village of Flushing to exempt property from taxation," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Hurd (introductory No. 423), entitled "An act to amend an act entitled 'An act for the incorporation of villages,' passed April 20, 1870," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Benedict (introductory No. 441), entitled "An act to further amend an act entitled 'An act conferring additional corporate powers on the village of Ellenville,' passed May 5, 1868, and amended by chapter 37 of the Laws of 1873," reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Evans (introductory No. 287), entitled "An act to incorporate the fire department of the village of Waterloo," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Husted (introductory No. 437), entitled "An act to amend section 5, title 3 of chapter 291, Laws of 1870, entitled 'An act for the incorporation of villages,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

The following communication was received from the committee on affairs of villages:

"The committee on affairs of villages respectfully represent and report to the Assembly that they are seriously embarrassed in the transaction of the public business delegated to them by the fact that they are deprived of the services of a clerk nearly all of the time, and are without a messenger."

*Ordered*, That said communication be referred to the committee on expenditures of the House.

On motion of Mr. Sanders, and by unanimous consent, the bill entitled "An act incorporating the village of New Brighton," was ordered printed and recommitted to the committee on affairs of villages."

Mr. Sherman, from the committee on public education, to which was referred the bill introduced by Mr. Gorsline (introductory No. 205), entitled "An act to amend an act entitled 'An act to revise and

consolidate the several acts relating to public instruction,' passed May 2, 1864," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to provide for the construction of fishways in the State dams across the Oswego, Oneida and Seneca rivers."

"An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game.'"

"An act to prevent frauds against creditors in matters of record."

"An act for the preservation of fish in Cool brook, in the town of Wellsville, in the county of Allegany."

A message from the Senate was received and read informing of concurrence in the passage of the bills entitled as follows:

"An act to authorize the sale by towns and villages in the county of Cortland, of capital stock in railroad companies."

"An act to authorize the sale by the city of Oswego and all the towns in the county of Oswego, and the town of Vienna, in Oneida county, of capital stock in the New York and Oswego Midland Railroad Company."

"An act to amend chapter 34 of the Laws of 1858, entitled 'An act to make school district No. 9, in the town of Pomfret, a union free school district.'"

*Ordered*, That the Clerk deliver said bills to the Governor.

Mr. Skinner presented a petition of 150 citizens of Watertown, asking for the institution of separate reformatories for convict women; which was read and referred to the committee on State prisons.

Mr. Sisson presented a petition of citizens of Fort Edward, for a lift or swing bridge over the Champlain canal; which was read and referred to the committee on canals.

Mr. Varnum presented a petition of citizens and physicians, protesting against the appointment of a special commissioner to investigate State lunatic asylums; which was read and referred to the committee on ways and means.

Mr. Beates presented a petition in favor of the State publishing and furnishing the text-books used in the common schools; which was read and referred to the committee on public education.

Mr. Slingerland presented a petition of 119 citizens of Albany county for the passage of a law for the confinement of female paupers and prisoners in separate institutions; which was read and referred to the committee on State prisons.

Mr. Speaker presented a communication from the Superintendent of Public Works, in answer to a resolution of the Assembly, February 10, 1880, in relation to the Chenango canal; which was laid on the table and ordered printed.

(See Doc. No. 00.)

A message from the Senate was received and read informing of concurrence in the passage of the resolution in words following:

*Resolved* (if the Senate concur), That a respectful message be sent to His Excellency the Governor, requesting the return of Assembly bill entitled "An act to authorize the sale, by towns and villages in the counties of Chenango, Delaware, Madison, Ulster and Sullivan, and

the towns of Pittsfield and Edmeston, in the county of Otsego, of capital stock in railroad companies," for amendment.

*Ordered*, That the Clerk deliver said resolution to the Governor.

By unanimous consent,

Mr. Brodsky introduced a bill entitled "An act to amend chapter 281 of the Laws of 1862, entitled 'An act to regulate places of public amusements in the cities and incorporated villages of this State,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Varnum introduced a bill entitled "An act relinquishing title and jurisdiction to the United States over certain land covered with water in the harbor of New York at Governor's, Bedloe's, Ellis' and David's islands, and Forts Lafayette, Hamilton, Wadsworth and Schuyler," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on federal relations.

Mr. Cohen introduced a bill entitled "An act for the better security to depositors in savings and other banking institutions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

The Senate sent for concurrence the resolution in the words following:

*Resolved* (if the Assembly concur), That the special joint committee with reference to a revision and amendment of the tax laws, to consist of three senators and five members, be increased by the addition of two senators and three members, to be appointed as provided for in the concurrent resolution which has been adopted.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. E. A. Carpenter offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 141, entitled "An act to amend an act entitled 'An act to revise, amend and consolidate the several acts relating to the village of Sag Harbor, passed April 18, 1861, and the several acts amendatory thereof,'" be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Ingersoll offered for the consideration of the House a resolution in the words following:

*Resolved*, That the time within which the special committee appointed by this House to investigate the matters and charges connected with the lease of the Plattsburgh and Dannemora railroad, etc., be and the same is hereby extended twenty days.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Duguid introduced a bill entitled "An act to authorize the common council of the city of Syracuse to raise and expend money for the purchase of a cemetery," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.



The bill entitled "An act further to amend chapter 417 of the Laws of 1877, entitled 'An act to repeal certain acts and parts of acts,'" having been announced for a third reading, Mr. Chamberlain moved to recommit said bill to the committee on the judiciary, with instructions to strike out the enacting clause.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read a third time. •

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 76 }  
{ NOES 17 }

Those who voted in the affirmative, were

Alvord	Costello	Ingersoll	Russell
Baker, B. F.	Cullinan	Kennedy	Sanders
Baker, C. S.	Curtis	Lefever	Seeley
Beach	Cushing	Lindsay	Shanley
Bennett	Davis	Low	Sipp
Brennan	Deane	McAvoy	Slingerland
Bridges	Dougherty	McCarthy	Steele
Brodsky	Douglass	McTernan	Strait
Bullock	Duguid	Mead	Tallmadge
Case	Ellis	Mitchell	Terpeny
Catlin	Ferris	Morgan	Thilemann
Chase	Gibbs	O'Brien	Titus
Chickering	Gray	O'Connor	Tozier
Clancy	Grosse	Peck	Travis
Clark	Gwinup	Phillips	Tully
Clowes	Hagan	Pitcher	Tuttle, R. M.
Cohen	Howland	Potts	Walsh
Comstock	Hurd	Rhodes	Wells, J. L.
Congdon	Husted	Roberts	Wiley

Those who voted in the negative, were

Andrews	Crapser	Miller	Sisson
Benedict, E. D.	Havens	Parker	Skinner
Benedict, T. E.	Hoffman	Potter	Tuthill, H. H.
Bradley	Hynes	Sherman	Varnum
Chamberlain			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to subject the town of Scipio, in the county of Cayuga, to the provisions and operation of chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State and to prescribe their powers and duties,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 75 }  
{ NOES 4 }

Those who voted in the affirmative, were

Alvord	Curtis	Low	Seeley
Andrews	Davis	McAvoy	Shanley

Baker, B. F.	Deane	McCarthy	Sherman
Baker, C. S.	Dougherty	McTernan	Sipp
Beates	Douglass	Mead	Skinner
Benedict, E. D.	Duell	Miller	Slingerland
Benedict, T. E.	Duguid	Morgan	Terpeny
Brennan	Ferris	Nowlan	Thilemann
Bridges	Gibbs	O'Brien	Titus
Brodsky	Griggs	Parker	Tozier
Bullock	Grosse	Peck	Travis
Carpenter, E. A.	Havens	Phillips	Tully
Chase	Hoffman	Pitcher	Tuthill, H. H.
Chickering	Howland	Potter	Van Valkenburgh
Clark	Hurd	Potts	Varnum
Clowes	Ingersoll	Rhodes	Wells, D. A.
Cohen	Kennedy	Roberts	Wells, J. L.
Congdon	Lefever	Russell	Wiley
Cullinan	Lindsay	Sanders	

Those who voted in the negative, were

Bradley	Crapser	Gwinup	McDonald
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*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence the resolution in the words following :

*Resolved* (if the Assembly concur), That 5,000 copies of the report of the State Assessors be printed and delivered to the Secretary of State for distribution to the assessors and supervisors for each town and city in the State; also, 5,000 copies be printed to be delivered to the Legislature for the use of its members; and 2,000 copies be printed for the use of the State Assessors and delivered to them; all of the said copies to be put up in paper covers, the price of the same not to exceed the contract price for extra copies.

*Ordered*, That said resolution be referred to the committee on public printing.

By unanimous consent,

Mr. Wiley introduced a bill entitled "An act making appropriations for the several judicial district libraries," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

By unanimous consent,

Mr. McCarthy introduced a bill entitled "An act in relation to actions of partition," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Costello introduced a bill entitled "An act in relation to certain employees of the mayor, aldermen and commonalty of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Husted moved to lay order of business third reading of bills on the table for the purpose of taking up the order of business on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act conferring additional powers and duties upon the board of education of school district number 4, in the village of Johnstown, Fulton county."

"An act to protect Central Park in the city of New York, and the streets bordering upon the same, from encroachments by elevated railroads."

"An act to amend the act entitled 'An act to revise, amend and consolidate the several acts relating to the village of Sag Harbor,' passed April 18, 1861, and the several acts amendatory thereof."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Deane, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Sherman moved to recommit said bill to the committee on the judiciary, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Deane, from said committee, also reported in favor of the passage of the second and last named bills, which report was agreed to, and the same ordered engrossed for a third reading.

On motion of Mr. E. A. Carpenter, and by unanimous consent, said last named bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78  
{ NOES 00 {

Those who voted in the affirmative, were

Alvord	Clowes	Lefever	Sanders
Andrews	Cohen	Lindsay	Seeley
Baker, B. F.	Comstock	Low	Shanley
Baker, C. F.	Congdon	McCarthy	Sheridan
Beach	Cullinan	McTernan	Sherman
Beates	Curtis	Mead	Sipp
Benedict, E. D.	Davis	Miller	Sisson
Benedict, T. E.	Deane	Mitchell	Skinner
Bennett	Douglass	Newman	Slingerland
Bradley	Duguid	Nowlan	Steele
Bridges	Ferris	O'Connor	Terpeny
Brodsky	Fitzgerald	Parker	Titus
Bullock	Gibbs	Phillips	Tozier
Carpenter, E. A.	Griggs	Pitcher	Tully
Catlin	Gwinup	Potter	Tuttle, R. M.
Chamberlain	Havens	Potts	Varnum
Chase	Hurd	Rhodes	Wells, D. A.
Chickering	Husted	Roberts	Wells, J. L.
Childs	Ingersoll	Russell	Wiley
Clark	Kennedy		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message from the Senate was received and read informing of concurrence in the passage of the resolution in the words following:

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor requesting the return of Assembly bill entitled "An act to exempt the county of Oswego, except the towns of Mexico, Rushland and Sandy Creek, from the provisions and operation of chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties,'" for amendment.

*Ordered*, That the Clerk deliver said resolution to the Governor.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend section 3 of chapter 176 of the Laws of 1876, entitled 'An act supplementary to chapter 60 of the Laws of 1813, entitled 'An act to provide for the incorporation of religious societies,' and the acts supplementary thereto."

"An act to amend chapter 127 of the Laws of 1860, entitled 'An act to organize a fire department in the village of Delhi, Delaware county.'"

"An act to revive the Gypsum Cemetery Association in Ontario county."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Curtis, from said committee, reported in favor of the passage of said bills, which report was agreed to, and the same ordered engrossed for a third reading.

Leave of absence was granted to Mr. Ferris until Wednesday next.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act concerning the recording of assignments of mortgages."

"An act to regulate the location of future burial grounds or cemeteries within the city of Buffalo."

"An act to incorporate the Grand Legion Select Knights of Ancient Order of United Workmen."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Rhodes, from said committee, reported in favor of the passage of the first named bill, with amendments, and the title amended by striking out the word "recording" and inserting in lieu thereof the word "indexing," which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Rhodes, from said committee, also reported in favor of the passage of the second named bill, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Rhodes, from said committee, also reported progress on the last named bill, and asked and obtained leave to sit again.

Mr. Duguid offered for the consideration of the House a resolution in the words following:

*Resolved*, That when this House adjourns to-day, it be to meet on Monday evening next at 8 o'clock.

On motion of Mr. Husted and at 1 o'clock the House adjourned.

## MONDAY EVENING, FEBRUARY 16, 1880.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. McChesney.

The journal of Friday, February 13, was read and approved.

Indefinite leave of absence was granted to Mr. Clark.

By unanimous consent,

Mr. Ingersoll offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor asking for the return of Assembly bill No. 87, entitled "An act to amend an act to amend chapter 34 of the Laws of 1858, making school district No. 9 in the town of Pomfret a union free school district," for the purpose of amending the same.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate sent for concurrence the bills entitled as follows:

"An act to authorize and direct the board of supervisors of Kings county to make suitable provisions to reimburse Walter L. Livingston for all legitimate costs, counsel fees and expenses which have been incurred by him in and about a certain action of *quo warranto* brought against him to oust him from the office of surrogate of the county of Kings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to provide for the appointment of two additional trustees of the Binghamton Asylum for the Chronic Insane, and to make an appropriation for such asylum," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

"An act to promote honest elections," which was read the first time, and by unanimous consent was also read the second time.

Mr. Slingerland moved that said bill be substituted for Assembly bill No. 128, general orders 135, on the same subject.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. C. S. Baker introduced a bill entitled "An act to declare women eligible to serve as school trustees, superintendent or commissioners of common schools, members of boards of education and school officers, and to authorize them to vote for any such officers in the several towns, counties, cities and school districts of this State," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Baker, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Curtis	McDonald	Skinner
Andrews	Cushing	Miller	Slingerland
Baker, B. F.	Davis	Mitchell	Tallmadge
Baker, C. S.	Douglass	Morgan	Terry
Beach	Fish	Newman	Thilemann
Beates	Gillette	Nowlan	Titus
Benedict, E. D.	Gorsline	Parker	Tozier
Benedict, T. E.	Gray	Phillips	Treanor
Bennett	Griggs	Pitcher	Tuthill, H. H.
Brodsky	Grosse	Potter	Tuttle, R. M.
Bullock	Gwinup	Potts	Van Valkenburgh
Carpenter, I. S.	Howland	Roberts	Walsh
Catlin	Hurd	Root	Warner
Chickering	Husted	Russell	Waterbury
Childs	Hynes	Sanders	Wells, D. A.
Clowes	Ingersoll	Seeley	Wells, J. L.
Cohen	Kennedy	Shanley	Wiley
Comstock	Lefever	Sheridan	Wren
Congdon	Low	Sherman	Mr. Speaker
Crafts	McCabe	Sisson	

Those who voted in the negative, were

Peck

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Brennan introduced a bill entitled "An act to amend an act entitled 'An act to establish a board of education in and for the village school district of the town of Malone, in the county of Franklin, and for other purposes, being chapter 7 of the Laws of 1867,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Russell introduced a bill entitled "An act to regulate the sale of spirituous liquors, wines, ale and beer, and to punish intoxication in the cities of New York and Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Tallmadge (by request) introduced a bill entitled "An act for the better government of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Wren introduced a bill entitled "An act to repeal chapter 267 of the Laws of 1879, entitled 'An act to amend section 3 of chapter 197 of the Laws of 1847, entitled 'An act authorizing the erection of town-houses,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. C. S. Baker (by request) introduced a bill entitled "An act to amend section 23 of chapter 140 of the Laws of 1850, entitled 'An act to authorize the formation of railroad corporations and to regulate the same, as amended by chapter 77 of the Laws of 1876,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Root introduced a bill entitled "An act to regulate voting in

the 'Western New York Agricultural Society,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

Mr. Mitchell introduced a bill entitled "An act to restrict appeals to the Court of Appeals in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Grosse introduced a bill entitled "An act to amend chapter 628 of the Laws of 1857, entitled 'An act to suppress intemperance and to regulate the sale of intoxicating liquors,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Comstock introduced a bill entitled "An act to authorize the city of Troy to issue its bonds to procure means to pay for the erection of four public school buildings and to obtain the necessary sites for the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Husted introduced a bill entitled "An act authorizing physicians of the different medical schools to meet in consultation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Potts introduced a bill entitled "An act to exempt the county of Sullivan from the provisions of section 44 of chapter 1 of part 3 of title 5 of the Revised Statutes, providing for the appointment of criers for courts of record," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill entitled "An act to amend chapter 264 of the Laws of 1879, entitled 'An act to amend chapter 467 of the Laws of 1865, entitled 'An act to amend an act entitled 'An act to revise and consolidate the general acts relating to public instruction,' passed May 2, 1861,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Terry introduced a bill entitled "An act to amend an act entitled 'An act to authorize the formation of railroad corporations and to regulate the same,' passed April 2, 1850," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Comstock introduced a bill entitled "An act to transfer the town of Berlin from the first to the second, and the town of Brunswick from the second to the first school commissioner's district of the county of Rensselaer," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Messrs. Brennan, Titus and Tozier presented petitions asking for the establishment of separate prisons and reformatories for convicted women; which was read and referred to the committee on state prisons.

Mr. Beates presented a petition of citizens of Hancock, Delaware county, asking for the passage of an act for the relief of the patrons of the common schools; which was read and referred to the committee on public education.

Mr. Speaker presented a petition of tax payers of the city of New

York in favor of the passage of the bill in relation to the manufacturing of cigars in tenement houses; which was read and referred to the committee on trade and manufactures.

The Senate returned the following resolution, with a message that they have concurred therein :

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor asking for the return of Assembly bill No. 87, entitled "An act to amend chapter 34 of the Laws of 1858, entitled 'An act to make school district number 9 in the town of Pomfret a union free school district,'" for amendment.

*Ordered*, That the Clerk deliver said resolution to the Governor.

Mr. Case offered for the consideration of the House a resolution in the words following:

*Whereas*, It is generally admitted by the officers and members of this House, that the acoustics of the Assembly chamber is defective, to the extent that it is at all times during business hours difficult and many times impossible to hear and understand the Speaker, the Clerk, or the members on the floor; and

*Whereas*, The importance of good acoustic qualities in a room for legislative deliberation and action, should be estimated only by the importance of good and wholesome laws; and

*Whereas*, The change made by the committee appointed last year to remedy the defect then and now complained of, fails to accomplish, in any perceptible degree, that purpose; therefore,

*Resolved*, That the architects and commissioners of the New Capitol, the Speaker and Clerk of the Assembly, as a committee hereby appointed, are requested to devise and execute some plan that will remedy the acoustic defect of the Assembly Chamber; and they are requested, during the present term of the Legislature, to test different plans until the defect shall be corrected, though it may be at the sacrifice of some artistic beauty.

Said resolution giving rise to debate,

*Ordered*, That the same be laid upon the table.

Mr. Rhodes offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That 2500 copies of the report of the Superintendent of Public Instruction be printed and bound in cloth, for distribution by that officer.

*Ordered*, That said resolution be referred to the committee on public printing.

Mr. Ingersoll offered for the consideration of the House a resolution in the words following:

*Resolved*, That the Attorney-General be requested to attend the sessions of the special committee appointed by this house to investigate the disposition made of the Plattsburgh and Dannemora railroad, as counsel for the people in that investigation. And in case of his inability to attend by reason of his public duties, that he have the power, and he is hereby requested to assign competent counsel to represent him before such committee, and a reasonable compensation for such counsel's service in the opinion of this House should be paid by the State.

Said resolution giving rise to debate,

*Ordered*, That the same be laid upon the table.

The Senate returned the bill entitled "An act to further amend chapter 143 of the Laws of 1861, entitled 'An act to amend and con-



solidate the several acts in relation to the charter of the city of Rochester, and to consolidate therewith the several acts in relation to the charter of said city," with a message that they have passed the same, with the following amendments:

SECTION 1, amended to agree with title.

In title 2, section 7, line 14, strike out from and including the word "on" to and including "election" line 15, and insert in place thereof "at the same time as the terms of the town supervisors now in office;" line 17, after the word "unexpired" insert the words "The term of office of the present police clerk shall terminate on the first Monday of May next after this charter takes effect, but he shall hold over and continue in office until his successor shall be appointed and qualified; and thereafter the tenure of office of the police clerk shall be the same as that of policemen."

In title 2, section 8, line 27, after the word "aldermen" and before the word "commissioner" strike out the word "the" and insert in place thereof the word "one"; at end of line insert a period in lieu of the comma.

In title 2, section 24, line 3, after the word "provide" place a comma.

In title 2, section 24, line 5, after the word "officer" and before the word "appointed" insert "except supervisor."

In title 4, section 48, line 10, in place of the word "ordinances" insert the word "ordinance."

In title 4, section 50, line 3, after the word "the" and before the word "common" strike out the words "Mayor or"; line 15, after the word "Treasury" insert the words "Except as otherwise provided by this charter or other law."

Section 65, line 13, after the words "to said city" insert "which moneys except as hereinafter otherwise expressly provided, shall be, by said Treasurer, credited to the police fund"; and in line 17, strike out the word "said" and insert the word "the."

Section 80, after the word "persons" insert the words "except as otherwise expressly provided by this charter or other law."

In title 5, section 81, line 22, after the word "in" and before the word "newspapers" strike out the words "the official" and insert in place thereof the words "one or more."

In title 5, section 81, line 42, after the word "line" and before the word "but" strike out the *quotation marks*.

In title 5, section 81, line 49, after the word "year" and before the word "no" strike out the *quotation marks*.

In title 5, section 81, line 59, after the word "same" and before the word "raised" strike out the word "was" and insert in place thereof the word "were."

In title 5, section 82, lines 7 and 8, after the word "taxes" (line 7) and before the word "such" (line 8) strike out the words "except that" and insert in place thereof the word "but."

In title 5, section 83, line 17, after the word "certify" and before the letter "a" strike out the word "to"; same line, after the word "books" and before the word "to" strike out the words "to be delivered" and insert in place thereof the words "and deliver the same."

Title 5, section 94, line 1, after the word "the" and before the word "shall" strike out the words "common council" and insert in place thereof the words "city treasurer."

In title 5, section 100, lines 2 and 3, after the word "such" (line 2) and before the word "or" (line 3) strike out the words "grantee, his heirs," and insert in place thereof the words "purchaser, his representatives."

In title 5, section 100, line 5, after the word "the" and before the word "title" insert "*right and*"; same line, after the word "such" and before the word "shall," strike out the word "guarantee" and insert in place thereof the word "*purchaser*."

In title 6, section 124, line 2, after the word "this" and before the word "mentioned" strike out the word "act" and insert in place thereof the word "*charter*."

In title 6, section 126, line 9, after the word "this" and before the word "for" strike out the word "act" and insert in place thereof the word "*charter*."

In title 6, section 131, line 36, strike out from and including the word "first" to and including the word "June," and insert in place thereof "sixteenth day of May."

In title 6, section 136, line 3, after the word "necessary" and before the word "proper" strike out the word "and" and insert in place thereof the word "or."

In title 6, section 136, line 11, after the word "this" strike out the word "act," and insert in place thereof the word "*charter*."

In title 6, section 137, line 5, after the word "of" and before the word "thereafter" strike out the word "January" and insert the word "September."

In title 6, section 138, line 3, strike out from and including the word "of" to and including the word "city"; and in section 140, line 6, after word "dollars" strike out the word "and" and insert the word "or"; and in section 141, line 8, write "charter" in lieu of "act."

Section 147, line 2, strike out all after the words "shall be" in line 2, to and including the words "more than" in line 3, and in place thereof insert the words "at the rate of."

Section 148, line 5, at the end of this section in line 5, add the words "excepting only that moneys to be disbursed for labor to the amount of not more than one thousand five hundred dollars, in any one week, may be drawn by orders or warrants made by the executive board directly upon the city treasurer, who shall pay the same, when there are funds for that purpose."

Also, in section 150, line 7, after word "for" and before word "use" insert word "the."

Section 153, line 21, at the end of section add the words "except as otherwise provided."

Also, in section 158, line 7, strike out "regutions" and insert the word "regulations."

In title 7, section 168, line 3, strike out from and including the word "cause" to and including the word "sewers," and insert in place thereof the words "make or cause to be made sewers, tunnels."

In title 7, section 168, line 4, strike out from and including the word "to" to and including the word "made."

In title 7, section 168, line 26, strike out from and including the word "the" to and including the word "houses" and insert in place thereof the words "such lots and parcels of land."

In title 7, section 168, line 42, after the word "execution" and before

the word "such" insert the following words, "or if the said amount shall exceed ten thousand dollars, each surety may so justify to any amount not less than five thousand dollars, provided the aggregate of the amounts to which the sureties so justify severally shall be at least the amount of the contract."

In title 7, section 158, line 69, after the word "to" and before the word "in" strike out the word "proceeding" and insert in place thereof the word "proceedings."

In title 7, section 170, line 1, after the word "whenever" insert the words "by the order of the common council."

In title 7, section 170, line 2, strike out from and including "by" to and including the word "council," and insert in the place thereof the words "or any other public improvement is to be made."

In title 7, section 170, line 5, after the word "assessment" (last word in line 5) strike out the period and put in the place thereof a comma.

In title 7, section 170, line 10, after the word "they" and before the word "cause" strike out the word "shall" and insert in place thereof the word "may."

In title 7, section 172, lines 9 and 10, after the word "thereof" and before the word "and" (line 9) insert the following words, "the amount, if any, to be paid from the public treasury," and after the word "for" (line 9) and before the word "expense" (line 10) strike out the word "such" and insert in place thereof the words "the rest of the."

In title 7, section 174, line 5, after the word "commencement" and before the word "and" insert the word "course."

In title 7, section 174, line 6, after the word "out" insert the following words, "widened or altered, or of the sewer or other work or improvement proposed to be made in or through the land so to be taken."

In title 7, section 189, line 5, after the word "improvement" and before the word "with" insert the following words, "or the portion thereof to be assessed as aforesaid."

In title 7, section 197, line 9, before the word "of" and after the word "estimate" (line 8) insert the words "of the expense" and after the word "improvement" and before the word "shall" (line 9) insert the words "to be assessed."

In title 7, section 197, line 10, after the word "improvement" and before the word "may" insert the words "to be assessed."

In title 7, section 197, line 20, after the word "assessors" and before the word "to" insert the words "the amount."

In title 7, section 197, line 25, after the word "amount" and before the word "if" insert the words "to be assessed."

In title 7, section 197, line 29, after the word "amount" and before the word "ascertained" insert the words "to be assessed."

In title 7, section 203, line 2, after the word "determine" and before the word "time" insert the word "the."

In title 7, section 204, line 13, after the word "committee" and before the word "proceed" strike out the word "shall" and insert in place thereof the word "may."

In title 7, section 204, lines 14, 15, 16 and 17, strike out from and including the word "as" (line 14) to and including the word "clerk"

in line 17, and insert in place thereof the words "or may, without such notice or hearing, examine and."

In title 7, section 204, line 17, after the word "clerk" and before the word "to" strike out the word "reported" and insert in place thereof the word "report," and in same line after the word "the" and before the word "common" strike out the word "said."

In title 7, section 208, line 14, after the word "next" and before the word "for" (line 15) strike out the word "rol" and insert in place thereof the word "roll."

In title 8, section 225, line 2, after the word "engineer" and before the word "assistant" strike out the word "four" and insert in place thereof the word "one"; same line, after the word "assistant" and before the word "so" strike out the word "engineers" and insert in place thereof the word "engineer."

In title 8, section 225, lines 2 and 3, strike out from and including the word "so" (line 2) to and including the word "wardens" (line 3).

In title 8, section 225, lines 5, 6, 7 and 8, strike out from and including the word "but" (line 5) to and including the word "exemptions" (line 8).

In title 8, section 226, line 2, after the word "engineers" and before the word "and" strike out the word "wardens."

In title 8, section 227, line 1, strike out from and including the word "and" to and including the word "wardens."

In title 8, section 231, line 1, after the word "engineers" and before the word "at" strike out the words "and wardens."

In title 8, section 231, line 8, after the word "his" and before the word "during" strike out the word "assistants" and insert in place thereof the word "assistant."

In title 10, section 241, line 4, after the word "lake" and before the word "oath" strike out the word "this" and insert the word "the."

Section 245, line 5, add the letter "s" to the word "proceeding."

In title 10, section 245, line 23, after the word "the" and before the word "by" strike out the word "transcript" and insert in place thereof the word "transcript."

In title 10, section 245, line 33, after the word "thereof," strike out the word "shal" and insert in place thereof the word "shall"; and in line 42, strike out "pleadings" and insert the word "pleading"; and in same line, strike out the word "of" where it last occurs, and insert the word "to"; also, in line 46, strike out "pleadings" and insert the word "pleading."

In title 10, section 245, line 48, after the word "otherwise" and before the word "provided" insert the word "hereinafter"; and in same line, strike out from and including the word "in" to and including the word "act."

In title 10, section 245, lines 51 and 52, strike out from and including the word "except" (line 51) to and including the word "act" (line 52) and insert in place thereof the word "pleading."

Section 249, line 8, strike out the word "five" and insert "three."

In title 10, section 245, line 88, after the word "of" and before the word "procedure" insert the word "civil."

In title 10, section 254, lines 1 and 2, strike out from and including the word "of" (line 1) to and including the word "act" (line 2).

In title 10, section 255, line 1, strike out from and including the word "from" to and including the word "act"; and in same line,

after the word "shall" and before the word "be" insert the word "hereafter." Make the first letter of said section "N."

In title 10, section 255, lines 2 to 5, strike out from and including the word "and" (line 2) to and including the word "repealed" (line 5).

In title 11, section 269, line 12, after the word "fine" and before the word "imprisonment" strike out the word "and" and insert in place thereof the word "or"; and in same line, after the word "imprisonment" insert the words "or both."

In title 11, section 270, line 8, after the word "fine" and before the word "imprisonment" strike out the word "and" and insert in place thereof the word "or"; and in same line, after the word "imprisonment" insert the words "or both."

In title 11, section 271, line 4, after the word "fine" and before the word "imprisonment" strike out the word "and" and insert in place thereof the word "or"; and in same line, after the word "imprisonment" insert the words "or both."

In title 11, section 273, line 9, after the word "fine" and before the word "imprisonment" (line 10) strike out the word "and" and insert in place thereof the word "or."

In title 11, section 273, line 10, after the word "imprisonment" and before the word "the" insert the words "or both."

In title 11, section 278, line 5, strike out from and including the word "of" to and including the word "peace."

In title 11, section 278, line 6, after the word "is" and before the word "against" insert the following words, "brought shall issue or order the issuing of an attachment."

In title 12, section 280, line 2, after the word "officer" and before the word "of" insert the words "or persons."

In title 12, section 280, line 4, after the word "into" and before the word "the" insert the words, "and be satisfied of"; and in same line, after the word "and" and before the word "require," strike out the word "shall" and insert the word "may."

In title 12, section 289, line 2, after the word "or" and before the word "charter" insert the words "to the"; and in same line, after the word "charter" and before the word "hereby" insert the word "as."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crafts	McCabe	Sherman
Baker, C. S.	Cullinan	McCarthy	Shuit
Beates	Curtis	McDonald	Sipp
Benedict, E. D.	Cushing	McTernan	Sisson
Benedict, T. E.	Davis	Miller	Skinner
Brennan	Deane	Mitchell	Slingerland
Bridges	Evans ;	Morgan	Tallmadge
Brodsky	Fish	Newman	Terry
Bullock	Gillette	Nowlan	Thilemann

Case	Goraline	Parker	Titus
Catlin	Gray	Peck	Travis
Chamberlain	Griggs	Phillips	Tully
Chase	Havens	Pitcher	Tuttle, R. M.
Chickering	Hayes	Potter	Van Valkenburgh
Childs	Howland	Potts	Warner
Clowes	Hurd	Root	Waterbury
Cohen	Husted	Russell	Wells, D. A.
Comstock	Ingersoll	Sanders	Wren
Congdon	Low	Seeley	Youngs
Cookinham	McAvoy	Sheridan	

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

Mr. Evans from the committee on internal affairs, to which was referred the bill introduced by Mr. Youngs (introductory No. 2), entitled "An act to regulate and protect the planting of oysters in the public waters of the town of Oyster Bay, Queens county," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Husted (introductory No. 403), entitled "An act in relation to the office of overseer of poor of the town of Stony Point, Rockland county," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Fiske (introductory No. 60), entitled "An act to amend an act entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" reported in favor of the passage of the same with amendments, and the title amended, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Husted (introductory No. 402), entitled "An act in relation to the office of commissioners of highways of the town of Stony Point, Rockland county," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Kennedy (introductory No. 323), entitled "An act to amend section 1 of chapter 212 of the Laws of 1879, entitled 'An act to provide for the distribution of the acts passed by the Legislature to town clerk's offices,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Sheridan (introductory No. 14), entitled "An act to amend an act entitled 'An act to amend chapter 467 of the Laws of 1862, entitled 'An act to prevent the adulteration of milk and prevent the traffic in impure and unwholesome milk, passed May 2, 1864,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Chickering (introductory No. 446), entitled "An act to prevent cutting timber on unoccupied lands in this State upon which the taxes have not been paid," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Ingersoll moved that bill No. 142, entitled "An act to amend chapter 479 of the Laws of 1867, entitled 'An act to amend the charter of the village of Dunkirk,'" be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend chapter 479 of the Laws of 1867, entitled 'An act to amend the charter of the village of Dunkirk.'"

"An act to further amend the charter of the village of Coopers-town in the county of Otsego."

"An act to provide for the preservation and use of the leases of gospel and school lots."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Sanders, from said committee, reported progress upon said bills, and asked and obtained leave to sit again.

Mr. Ingersoll moved to discharge the committee of the whole from the further consideration of the first named bill, and that said bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Alvord the last named bill was recommitted to the committee on the judiciary, retaining its place on general orders.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend section 430 of the Code of Civil Procedure."

"An act in relation to receivers of insolvent corporations."

"An act allowing husbands and wives to take deeds and other conveyances of lands jointly, and to hold the premises so deeded or conveyed as tenants in common."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Warner, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Warner, from said committee, also reported in favor of the passage of the last named bill, with amendments, and the title amended by inserting after the word "tenants" the words "in common," which report was agreed to, and the same ordered engrossed for a third reading.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

Senate, "An act to amend the Code of Civil Procedure."

Senate, "An act to amend chapter 590 of the Laws of 1872, entitled 'An act to regulate processions and parades in the cities of the State of New York.'"

"An act to divide the third and seventh wards of the city of Utica, and to create the eleventh and twelfth wards therein."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Treanor, from said committee, reported in favor of the passage of the first and last named bills, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Treanor, from said committee, also reported progress on the second named bill, and asked and obtained leave to sit again.

Mr. Alvord moved to discharge the committee of the whole from the further consideration of said bill, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Husted and at 10 o'clock and 5 minutes the House adjourned.

## TUESDAY MORNING, FEBRUARY 17, 1880.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. McChesney.

The journal of yesterday was read and approved.

Leave of absence was granted to Mr. Mooers until Thursday next; also to Mr. McCarthy.

Privileges of the floor were granted to Hon. William Herrick, former member of this House.

The Senate returned the bill entitled "An act to regulate the depositing of securities by insurance companies with the Superintendent of the Insurance Department," with a message that they have concurred in the passage of the same with the following amendments:

Section 1, line 6, change "*cent*" to "*centum*;" same section, line 11, change "*cent*" to "*centum*." Strike out all of section 2. Change section 3 to section 2.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 72 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Oullinan	Lindsay	Sipp
Ash	Curtis	McAvoy	Sisson
Baker, B. F.	Quashing	McCabe	Slingerland
Beates	Davis	McCarthy	Steele
Benedict, E. D.	Dougherty	McDonald	Terpeny
Benedict, T. E.	Douglass	McTernan	Terry
Brennan	Duell	Miller	Thilemann
Bridges	Evans	Morgan	Titus
Brodsky	Fish	Nowlan	Tormey
Bullock	Gillette	Parker	Tozier.
Carpenter, I. S.	Goralline	Pitcher	Travis
Chase	Griggs	Potter	Tully
Chickering	Gwinup	Rhodes	Tuthill, H. H.
Childs	Howland	Roberts	Waterbury
Claney	Hurd	Russell	Wells, D. A.



Comstock	Husted	Sanders	Weston
Congdon	Hynes	Seeley	Wiley
Cookinham	Ingersoll	Sherman	Wren

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendment.

The Senate returned the bill entitled "An act to authorize the extension of the time for the collection of taxes in the several towns of this State," with a message that they have concurred in the passage of the same with the following amendments:

Line 8, section 1, strike out "*April*" and insert "*May*." Line 2, section 2, strike out word "*it*."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Comstock	Ingersoll	Sherman
Andrews	Congdon	Kennedy	Shuit
Baker, B. F.	Cookinham	Lefever	Sisson
Baker, C. S.	Craffe	Lindsay	Skinner
Beach	Crapser	Low	Slingerland
Beates	Curtis	McAvoy	Steele
Benedict, E. D.	Cushing	McCabe	Tallmadge
Benedict, T. E.	Davis	McTernan	Terpeny
Brennan	Deane	Miller	Thilemann
Brodsky	Douglass	Mitchell	Titus
Bullock	Evans	Morgan	Tormey
Carpenter, E. A.	Ferris	Nowlan	Tozier
Carpenter, I. S.	Fish	Parker	Tully
Catlin	Gillette	Pitcher	Tuthill, H. H.
Chamberlain	Gorsline	Potter	Van Valkenburgh
Chase	Griggs	Root	Waterbury
Chickering	Howland	Russell	Wells, D. A.
Childs	Hurd	Sanders	Wiley
Olowes	Husted	Seeley	Wren
Cohen	Hynes		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

A message was received from the Governor in words following :

STATE OF NEW YORK, }  
ALBANY, February 13, 1880. }

*To the Assembly :*

In accordance with a joint resolution of the Assembly and Senate, herewith is returned for amendment, Assembly bill (introductory No. 141), entitled "An act to exempt the county of Oswego, except the towns of Mexico, Rushland and Sandy Creek, from the provisions and operation of chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of the State, and to prescribe their powers and duties.'"

ALONZO B. CORNELL

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Lefever	Shanley
Andrews	Crafts	Lindsay	Sheridan
Baker, B. F.	Crapser	McAvoy	Sherman
Baker, C. S.	Cullinan	McCabe	Sisson
Beach	Cushing	McDonald	Skinner
Benedict, E. D.	Davis	McTernan	Slingerland
Benedict, T. E.	Deane	Miller	Steele
Bradley	Dougherty	Mitchell	Terpeny
Brennan	Douglass	Morgan	Titus
Brodsky	Ellis	Newman	Tormey
Bullock	Evans	Nowlan	Tozier
Carpenter, E. A.	Fiske	Parker	Travis
Catlin	Gillette	Pitcher	Tully
Chase	Gorsline	Potter	Tuthill, H. H.
Chickering	Griggs	Potts	Van Valkenburgh
Childs	Howland	Roberts	Warner
Clowes	Hurd	Root	Waterbury
Cohen	Hynes	Russell	Weston
Comstock	Ingersoll	Sanders	Wiley
Congdon	Kennedy		

On motion of Mr. Steele, and by unanimous consent, said bill was amended in words following :

Line 2 of engrossed bill, strike out the word "are" and insert in lieu thereof the word "is."

Said bill as amended was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Lindsay	Sherman
Andrews	Crafts	Low	Shuit
Baker, B. F.	Crapser	McAvoy	Sisson
Baker, C. S.	Cullinan	McCabe	Skinner
Beach	Curtis	McDonald	Slingerland
Beates	Cushing	McTernan	Steele
Benedict, E. D.	Davis	Miller	Tallmadge
Benedict, T. E.	Deane	Nowlan	Terpeny
Bennett	Dougherty	O'Connor	Terry
Bradley	Douglass	Parker	Thilemann
Brennan	Duguid	Peck	Titus
Bridges	Ellis	Phillips	Tormey
Brodsky	Evans	Pitcher	Tozier
Bullock	Fish	Potter	Travis
Carpenter, E. A.	Gillette	Rhodes	Tully
Carpenter, I. S.	Gorsline	Roberts	Tuthill, H. H.

Case	Griggs	Root	Warner
Catlin	Gwinup	Russell	Waterbury
Chase	Howland	Sanders	Wells, D. A.
Chickering	Hynes	Seeley	Wells, J. L.
Childs	Ingersoll	Shanley	Youngs
Comstock	Kennedy	Sheridan	Mr. Speaker
Congdon	Lefever		

*Ordered*, That the Clerk deliver said bill to the Senate, and request thir concurrence therein.

A message was received from the Governor in the words following:

STATE OF NEW YORK:  
EXECUTIVE CHAMBER,  
ALBANY, February 16, 1880. }

*To the Assembly:*

In accordance with a joint resolution of the Assembly and Senate herewith is returned for amendment, Assembly bill No. 87, entitled "An act to amend chapter 34 of the Laws of 1858, entitled 'An act to make school district number 9 in the town of Pomfret a union free school district.

ALONZO B. CORNELL.

Mr. Ingersoll moved to reconsider the vote by which said bill was passed and that said motion lay upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Slingerland introduced a bill entitled "An act to authorize the clerk of Albany county to sign and certify the record of deeds, mortgages and other record of papers, recorded in the Albany county clerk's office which were left unsigned by the former clerks of said county, and providing for his compensation therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Sheridan introduced a bill entitled "An act to release and grant the interest of the people of the State of New York in certain real estate in the city of Brooklyn, in the county of Kings, and State of New York, to Mary Ryan," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

• Mr. Seeley introduced a bill entitled "An act to release certain lands which have escheated to the State to Francis Marrin, the father of Francis Marrin late of the village of Fairport, Monroe county, New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

Mr. Duell introduced a bill entitled "An act to provide for the compilation and revision of the laws of the State of New York, affecting banks, banking and trust companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

Mr. J. L. Wells introduced a bill entitled "An act to amend an act entitled 'An act authorizing the incorporation of rural cemetery associations,' passed April 27, 1847, and the acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also (by request), the bill entitled "An act to amend the act entitled 'An act for the better protection of seamen in the port and harbor of New York,' passed March 21, 1866, as amended by an act entitled 'An act to amend chapter 184 of the Laws of 1866, entitled 'An act for the better protection of seamen in the port and harbor of New York,' passed June 8, 1877," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Terpeny introduced a bill entitled "An act for the relief of Young Men's Hebrew Association of Harlem," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Bennett introduced a bill entitled "An act to repeal an act entitled 'An act in relation to the Second Avenue Railroad Company in the city of New York,' passed April 12, 1855," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Cookinham (by request) introduced a bill entitled "An act to require the common council of Utica to ascertain the expense of grading Bleeker street between Culver avenue and the city limits and to assess, levy and collect the expense thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Waterbury introduced a bill entitled "An act to incorporate Excelsior Hose Company No. 1, of the village of Warwick, New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. E. A. Carpenter introduced a bill entitled "An act for the improvement of navigation of the Great South Bay, in the towns of Southampton and Brookhaven, in the county of Suffolk," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Sisson introduced a bill entitled "An act authorizing and empowering the Superintendent of Public Works to construct a lift or hoist bridge over the Champlain canal in the village of Fort Edward," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Travis introduced a bill entitled "An act to amend chapter 476 of the Laws of 1869, entitled 'An act entitled 'An act to establish the office of receiver of taxes in the town of New Rochelle in the county of Westchester,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Speaker presented the annual report of the Insurance Department, which was laid on the table and ordered printed.

(See Doc. No. 63.)

Mr. Potter presented a memorial and petition of the Saratoga Monument Association asking for an appropriation; which was read and referred to the committee on ways and means.

By unanimous consent,

Mr. Comstock moved that the following bills be considered in the first committee of the whole not full :

"An act to amend an act entitled 'An act to incorporate the city of Troy,' passed April 12, 1816, and the several acts amendatory thereof and supplementary thereto."

"An act to amend chapter 126 of the Laws of 1873, entitled 'An act to organize a board of school commissioners in and for the city of Troy,' passed March 25, 1873, and the several acts amendatory thereof."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Griggs offered for the consideration of the House a resolution in the words following:

*Resolved*, That Senate bill No. 69, and the act entitled "An act making appropriation for continuing work upon the new Capitol during the winter and spring of the year 1880," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend an act entitled 'An act to incorporate the city of Troy,' passed April 12, 1816, and the several acts amendatory thereof and supplementary thereto."

"An act to amend chapter 126 of the Laws of 1873, entitled 'An act to organize a board of school commissioners in and for the city of Troy,' passed March 25, 1873, and the several acts amendatory thereof."

Senate, "An act making appropriation for continuing work upon the new Capitol during the winter and spring of the year 1880."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. J. L. Wells, from said committee, reported in favor of the passage of the second named bill, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. J. L. Wells, from said committee, also reported in favor of the passage of the last named bill, which report was agreed to, and the same ordered to a third reading.

Mr. Wells, from said committee also reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Rhodes moved to recommit said bill to the committee on affairs of cities for further hearing.

Mr. Alvord moved to amend said motion, and that the committee of the whole be discharged from the further consideration of said bill, and that the same be ordered to a third reading.

Mr. Alvord moved the previous question.

Mr. Speaker put the question "Shall the main question now be put?" and it was determined in the affirmative.

{ AYES 69 }  
{ NOES 29 }

Those who voted in the affirmative, were

Alvord	Comstock	Hurd	Sanders
Andrews	Congdon	Husted	Sherman
Baker, B. F.	Cookinham	Ingersoll	Sipp
Beach	Crafts	Kennedy	Sisson

Beates	Crapser	Lefever	Slingerland
Bradley	Cullinan	Lindsay	Terry
Brennan	Curtis	McCabe	Titus
Bridges	Davis	Miller	Travis
Brodsky	Deane	Mitchell	Tuthill, H. H.
Bullock	Douglass	Morgan	Tuttle, R. M.
Carpenter, E. A.	Duell	Nowlan	Van Valkenburgh
Carpenter, I. S.	Fish	Phillips	Wells, D. A.
Case	Fiske	Pitcher	Wells, J. L.
Chamberlain	Gorsline	Potter	Weston
Chase	Gray	Potts	Wren
Chickering	Hayes	Root	Youngs
Childs	Howland	Russell	Mr. Speaker
Clowes			

Those who voted in the negative, were

Benedict, E. D.	Ellis	McTernan	Terpeny
Benedict, T. E.	Gwinup	Mead	Thilemann
Bennett	Hagan	Newman	Tormey
Catlin	Hoffman	Parker	Treanor
Clancy	Hynes	Rhodes	Tully
Cohen	McAvoy	Shanley	Walsh
Cushing	McDonald	Sheridan	Wiley
Dougherty			

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Alvord, and it was determined in the affirmative.

{ AYES 88 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Hurd	Sherman
Andrews	Cookinham	Husted	Shuit
Baker, B. F.	Crafts	Ingersoll	Sipp
Baker, C. S.	Crapser	Kennedy	Siason
Beach	Cullinan	Lefever	Skinner
Beates	Curtis	Lindsay	Slingerland
Bradley	Davis	Low	Terry
Brennan	Deane	Miller	Titus
Bridges	Douglass	Mitchell	Tozier
Brodsky	Duell	Morgan	Travis
Bullock	Evans	Nowlan	Tuthill, H. H.
Carpenter, E. A.	Fish	Peck	Tuttle, R. M.
Carpenter, I. S.	Fiske	Phillips	Van Valkenburgh
Case	Gillette	Pitcher	Varnum
Chamberlain	Gorsline	Potter	Waterbury
Chase	Gray	Potts	Wells, D. A.
Chickering	Griggs	Roberts	Wells, J. L.
Childs	Grosse	Root	Weston
Clowes	Hayes	Russell	Wren
Comstock	Howland	Sanders	Youngs

Those who voted in the negative, were

Benedict, E. D.	Dougherty	McAvoy	Shanley
Benedict, T. E.	Ellis	McDonald	Terpeny
Bennett	Gwinup	McTernan	Thilemann
Catlin	Hagan	Newman	Tormey
Clancy	Hoffman	Parker	Treanor
Cohen	Hynes	Rhodes	Tully
Cushing			

Mr. Speaker then put the question whether the House would agree to the motion of Mr Rhodes, as amended by Mr. Alvord, and it was determined in the affirmative.

*Ordered* engrossed for a third reading.

Mr. Travis offered for the consideration of the House a privileged resolution in the words following :

*Resolved*, That the vote by which bill No. 498, entitled " An act to declare women eligible to serve as school trustees, superintendents or commissioners of common schools, members of boards of education and school officers, and to authorize them to vote for any such officers in the several towns, counties, cities and school districts of this State," was passed, be reconsidered, and that this resolution be laid on the table.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Sipp presented a bill entitled " An act to amend chapter 461 of the Laws of 1867, entitled ' An act for the support and relief of the poor and for the government of the poor department in the county of Erie,' passed April 19, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Speaker presented a report of the minority of the special committee on railroads ; which was laid on the table and ordered printed.  
(*See Doc. No. 61.*)

Mr. Hayes offered for the consideration of the House a resolution in the words following :

*Whereas*, The special reporters for the press connected with this House are greatly inconvenienced in the discharge of their duties, by the absence of their files of journals and documents ; therefore,

*Resolved*, That the Sergeant-at-Arms be and he is hereby directed to supply them with such files at once.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Pursuant to ninth joint rule, Mr. Speaker announced order of business, third reading of bills.

The bill entitled " An act ceding jurisdiction to the United States over a submarine site for a light-house to be built at the Great Beds in Raritan Bay," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Kennedy	Sipp
Andrews	Cullinan	Lefever	Sisson
Ash	Curtis	Lindsay	Skinner
Beach	Cushing	Low	Slingerland
Beates	Davis	McAvoy	Steele
Benedict, E. D.	Deane	McDonald	Tallmadge
Benedict, T. E.	Dougherty	McTernan	Terpeny
Bennett	Douglass	Miller	Terry

Brennan	Duell	Mitchell	Thilemann
Bridges	Ellis	Morgan	Titus
Brodsky	Evans	Newman	Tormey
Bullock	Fish	Nowlan	Tozier
Carpenter, E. A.	Gorsline	Parker	Tully
Carpenter, I. S.	Griggs	Phillips	Tuthill, H. H.
Case	Gwinup	Pitcher	Tuttle, R. M.
Chamberlain	Hayes	Potter	Van Valkenburgh
Chase	Hoffman	Potts	Varnum
Childs	Howland	Rhodes	Waterbury
Clowes	Hurd	Roberts	Wells, J. L.
Cohen	Husted	Russell	Weston
Congdon	Hynes	Sanders	Wren
Cookinham	Ingersoll	Sheridan	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act giving the consent of the State of New York to the purchase of or acquisition by the United States of two sites for range lights in Cold Spring Harbor (Queens county), Long Island, New York, and ceding jurisdiction over the same," being announced for a third reading, on motion of Mr. Youngs, and by unanimous consent, said bill was amended in words following:

After words "Cold Spring Harbor," line 5, engrossed bill, insert the words "Queens county."

Said bill as amended was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

{ AYES 89 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cohen	Hynes	Sheridan
Andrews	Congdon	Ingersoll	Sherman
Ash	Cookinham	Kennedy	Sipp
Baker, B. F.	Crapser	Lefever	Skinner
Baker, C. S.	Davis	Lindsay	Slingerland
Beach	Deane	Low	Steele
Beates	Dougherty	McAvoy	Tallmadge
Benedict, E. D.	Douglass	McCabe	Terpeny
Benedict, T. E.	Duell	Miller	Terry
Bradley	Ellis	Mitchell	Thilemann
Brennan	Evans	Morgan	Titus
Bridges	Fish	Nowlan	Tormey
Brodsky	Fiske	Parker	Tully
Bullock	Gorsline	Phillips	Tuthill, H. H.
Carpenter, E. A.	Gray	Pitcher	Tuttle, R. M.
Carpenter, I. S.	Griggs	Potter	Van Valkenburgh
Case	Grosse	Potts	Varnum
Catlin	Hagan	Rhodes	Warner
Chamberlain	Hayes	Roberts	Waterbury
Chase	Hoffman	Root	Wren
Chickering	Hurd	Russell	Youngs
Childs	Husted	Sanders	Mr. Speaker
Clowes			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.



The Senate bill entitled "An act giving the consent of the State of New York to the United States for the purchase of land at New Brighton and ceding jurisdiction over the same," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

{ AYES 89 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapsier	Kennedy	Sipp
Andrews	Cullinan	Lefever	Sisson
Ash	Curtis	Lindsay	Skinner
Baker, B. F.	Cushing	Low	Slingerland
Baker, C. S.	Davis	McAvoy	Steele
Beach	Deane	McCabe	Tallmadge
Beates	Dougherty	McDonald	Terpeny
Benedict, E. D.	Douglass	Mead	Terry
Bennett	Ellis	Miller	Thilemann
Bradley	Evans	Newman	Titus
Brennan	Fish	Nowlan	Tozier
Bridges	Gorsline	Parker	Tully
Brodsky	Gray	Phillips	Tuthill, H. H.
Bullock	Griggs	Potter	Tuttle, R. M.
Carpenter, I. S.	Grosse	Potts	Van Valkenburgh
Case	Gwinup	Roberts	Varnum
Catlin	Hayes	Root	Waterbury
Chamberlain	Hoffman	Russell	Wells, D. A.
Chase	Hurd	Sanders	Wells, J. L.
Chickering	Husted	Shanley	Weston
Cohen	Hynes	Sheridan	Wiley
Coekinham	Ingersoll	Sherman	Youngs
Crafts			

*Ordered,* That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendment.

Mr. Travis moved to take from the table the motion to reconsider the vote by which the bill entitled "An act to declare women eligible to serve as school trustees, superintendents or commissioners of common schools, members of boards of education and school officers, and to authorize them to vote for any such officer in the several towns, counties, cities and school districts of this State."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Ingersoll	Sisson
Andrews	Curtis	Kennedy	Skinner
Ash	Cushing	Lefever	Slingerland
Baker, B. F.	Davis	Lindsay	Steele

Baker, C. S.	Deane	Low	Tallmadge
Beach	Dougherty	Miller	Terpeny
Benedict, E. D.	Douglass	Mitchell	Terry
Bennett	Duell	Newman	Thilemann
Bradley	Ellis	Nowlan	Titus
Brennan	Evans	Parker	Tormey
Bridges	Fish	Potter	Tozier
Brodsky	Fiske	Potts	Travis
Bullock	Gorsline	Rhodes	Tully
Carpenter, E. A.	Griggs	Roberts	Tuthill, H. H.
Carpenter, I. S.	Grosse	Root	Tuttle, R. M.
Chase	Gwinup	Russell	Varnum
Chickering	Hayes	Shanley	Wells, J. L.
Clancy	Hoffman	Sheridan	Wiley
Clowes	Hurd	Sherman	Wren
Congdon	Husted	Shuit	Mr. Speaker
Crafts	Hynes	Sipp	

Mr. Baker moved to amend said bill as follows :

Section 1, line 4, engrossed bill, after the word "officer" strike out the words "or to vote for any such officer." Amend the title by striking out the words "and to authorize them to vote for any such officer."

Mr. Alvord moved to recommit said bill to the committee on the judiciary, retaining its place on order of third reading.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Alvord, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Baker, as amended, and it was determined in the affirmative.

Mr. Tuttle, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act for the better security of mechanics, laborers and others who perform labor or furnish materials for buildings and other improvements on land in the city of Buffalo."

"An act to protect Central Park in the city of New York, and the streets bordering upon the same, from encroachment by elevated railroads."

"An act to amend section 3 of chapter 176 of the Laws of 1876, entitled 'An act supplementary to chapter 60 of the Laws of 1813, entitled 'An act to provide for the incorporation of religious societies,' and the acts supplementary thereto.'"

"An act to revive the Gypsum Cemetery Association in Ontario county."

"An act concerning the indexing of assignments of mortgages."

"An act to regulate the location of future burial grounds or cemeteries within the city of Buffalo."

"An act to amend section 430 of the Code of Procedure."

"An act allowing husbands and wives to take deeds and other conveyances of land jointly, and to hold the premises so deeded or conveyed as tenants in common."

"An act to divide the third and seventh wards of the city of Utica, and to create the eleventh and twelfth wards therein."

On motion of Mr. Cookinham, and by unanimous consent, the bill entitled "An act to divide the third and seventh wards of the city of Utica, and to create the eleventh and twelfth wards therein," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Comstock	Hoffman	Root
Andrews	Congdon	Howland	Russell
Ash	Cookinham	Hurd	Shanley
Baker, B. F.	Crafts	Husted	Sheridan
Baker, C. S.	Crapsier	Hynes	Sipp
Beach	Cullinan	Ingersoll	Sisson
Beates	Curtis	Kennedy	Skinner
Benedict, E. D.	Cushing	Lindsay	Slingerland
Benedict, T. E.	Davis	Low	Steele
Bradley	Deane	McAvoy	Terpeny
Brennan	Dougherty	McCabe	Terry
Bridges	Douglass	McCarthy	Titus
Brodsky	Duell	McTernan	Tormey
Bullock	Ellis	Mitchell	Tozier
Carpenter, E. A.	Evans	Morgan	Travis
Carpenter, I. S.	Fish	Nowlan	Tully
Case	Fiske	Parker	Tuthill, H. H.
Chamberlain	Gorsline	Phillips	Varnum
Chase	Gray	Potter	Waterbury
Chickering	Grosse	Potts	Wren
Childs	Gwinup	Rhodes	Youngs
Clowes	Hayes	Roberts	Mr. Speaker

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Ingersoll moved to take from the table a resolution previously offered by him in the words following:

*Resolved*, That the Attorney-General be requested to attend the sessions of the special committee appointed by this House to investigate the disposition made of the Plattsburgh and Dannemora railroad, as counsel for the people in that investigation, and in case of his inability to attend by reason of his public duties, that he have the power, and he is hereby requested to assign competent counsel to represent him before such committee.

Mr. Speaker put the question whether the House would agree to the adoption of said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Rhodes offered for the consideration of the House a resolution in the words following:

*Resolved*, That Senate bill No. 14, Assembly general orders No. 161, entitled "An act to amend the law of evidence and practice on civil and criminal trials," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The Senate bill entitled "An act to amend section 2, chapter 22 of the Laws of 1858, entitled 'An act to enable the electors of the town

of Watervliet to vote by districts for the election of town officers,' as amended by section 1 of chapter 259 of the Laws of 1879," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Hynes	Sherman
Andrews	Crapser	Ingersoll	Sipp
Ash	Cullinan	Lindsay	Sisson
Baker, B. F.	Curtis	Low	Skinner
Baker, C. S.	Davis	McAvoy	Slingerland
Beach	Dougherty	McCabe	Steele
Beates	Douglass	McDonald	Tallmadge
Benedict, E. D.	Duell	Miller	Terry
Benedict, T. E.	Ellis	Nowlan	Titus
Brennan	Evans	Parker	Tormey
Brodsaky	Fish	Phillips	Tozier
Bullock	Fiske	Potter	Treanor
Carpenter, I. S.	Gorsline	Potts	Tuthill, H. H.
Case	Griggs	Rhodes	Varnum
Catlin	Grosse	Roberts	Waterbury
Chamberlain	Gwinup	Root	Wells, D. A.
Chase	Hays	Russell	Wells, J. L.
Chickering	Hoffman	Sanders	Weston
Childs	Howland	Shanley	Wren
Clowes	Hurd	Sheridan	Youngs
Cohen	Husted		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act conferring additional powers upon the board of supervisors of the county of Niagara, relative to expenses for the support of the poor," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Husted	Shanley
Andrews	Cookinham	Hynes	Sheridan
Ash	Crafts	Ingersoll	Shuit
Baker, B. F.	Crapser	Kennedy	Sipp
Baker, C. S.	Curtis	Lefever	Sisson
Beach	Cushing	Lindsay	Skinner
Benedict, E. D.	Davis	McAvoy	Slingerland
Benedict, T. E.	Dougherty	McCarthy	Steele
Brennan	Douglass	Miller	Tallmadge
Bridges	Duell	Mitchell	Terry
Brodsaky	Evans	Morgan	Thilemann
Bullock	Fish	Nowlan	Titus
Carpenter, I. S.	Fiske	Parker	Tormey
Case	Gorsline	Phillips	Tozier

Catlin	Gray	Pitcher	Tuthill, H. H.
Chamberlain	Griggs	Potter	Tuttle, R. M.
Chase	Grosse	Potts	Waterbury
Chickering	Gwinup	Rhodes	Wells, D. A.
Childs	Hoffman	Roberts	Weston
Cohen	Howland	Root	Youngs
Comstock	Hurd	Sanders	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the Knickerbocker Casualty Insurance Company of New York to change the name thereof to 'The Fidelity and Casualty Insurance Company of New York,'" being announced for a third reading, on motion of Mr. Baker, and by unanimous consent, was amended in words following :

Section 1, line 4, engrossed bill, after the word "Casualty" strike out the word "insurance."

Amend the title by striking out the word "insurance" last occurring.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative. a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Husted	Shuit
Andrews	Crapser	Hynes	Sipp
Ash	Cullinan	Ingersoll	Sisson
Baker, B. F.	Curtis	Kennedy	Skinner
Baker, C. S.	Cushing	Lefever	Slingerland
Beach	Davis	McAvoy	Steele
Beates	Deane	McTernan	Tallmadge
Benedict, E. D.	Dougherty	Miller	Terpeny
Brennan	Douglass	Mitchell	Terry
Bridges	Evans	Newman	Titus
Brodsky	Fish	Nowlan	Tozier
Bullock	Fiske	Parker	Travis
Carpenter, E. A.	Gorsline	Phillips	Tuthill, H. H.
Carpenter, I. S.	Gray	Pitcher	Wells, D. A.
Case	Griggs	Rhodes	Wells, J. L.
Catlin	Grosse	Roberts	Weston
Chase	Gwinup	Russell	Wiley
Chickering	Hoffman	Sanders	Wren
Childs	Howland	Shanley	Youngs
Comstock	Hurd	Sheridan	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message was received from the Governor in the words following :

STATE OF NEW YORK, }  
ALBANY, February 13, 1880. }

*To the Assembly :*

In accordance with a joint resolution of the Assembly and Senate, herewith is returned for amendment Assembly bill No. 18, entitled

"An act to authorize the sale by towns and villages, in the counties of Chenango, Delaware, Madison, Ulster and Sullivan, and the towns of Edmeston and Pittsfield, in the county of Otsego, of capital stock in railroad companies."

A. B. CORNELL.

Mr. Curtis moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to said motion to reconsider, and it was determined in the affirmative.

{ AYES 74 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crafts	Kennedy	Sherman
Andrews	Crapser	Lefever	Shuit
Baker, C. S.	Cullinan	Lindsay	Sipp
Beach	Curtis	McAvoy	Sisson
Beates	Oushing	McTernan	Skinner
Benedict, E. D.	Davis	Mitchell	Slingerland
Benedict, T. E.	Dougherty	Morgan	Steele
Bradley	Douglass	Nowlan	Terry
Brennan	Duell	Phillips	Titus
Bridges	Ellis	Potter	Tully
Brodsky	Evans	Potts	Tuthill, H. H.
Bullock	Gorsline	Rhodes	Tuttle, R. M.
Carpenter, I. S.	Griggs	Roberts	Varnum
Catlin	Grosse	Root	Waterbury
Childs	Gwinup	Russell	Wells, D. A.
Cohen	Howland	Sanders	Wiley
Comstock	Hurd	Shanley	Wren
Congdon	Husted	Sheridan	Youngs
Cookinham	Ingersoll		

On motion of Mr. Curtis, and by unanimous consent, said bill was amended as follows:

Strike out all after the enacting clause and insert as follows:

SECTION 1. The several towns, cities and villages in the counties of Chemung, Delaware, Madison, Ulster, Sullivan, Cortland, Orange, Cayuga and Oswego, the towns of Pittsfield and Edmeston, in the county of Otsego, and the town of Vienna, in the county of Oneida, are hereby authorized and empowered to sell and transfer all or any portion of the capital stock of the New York and Oswego Midland Railroad Company, now owned or that shall be hereafter issued to and owned by them, or either of them; and the several towns and villages in the county of Chenango are hereby also authorized and empowered to sell and transfer all or any portion of the capital stock of the Utica, Chenango and Susquehanna Valley Railroad Company, now owned by them, or either of them.

Sec. 2. The railroad commissioner or commissioners, or the supervisor in towns where there are no railroad commissioners, for any of the said several towns, cities and villages, appointed under and pursuant to the statute, authorizing the bounding of the said towns, cities and villages in aid of said companies, or either of them, and to take and subscribe for the capital stock issued by them, or either of them, may make a sale and the necessary transfer of the said capital stock, or of any part thereof now held, or that shall be hereafter issued

to and held by their respective towns, cities or villages, at such times and on such terms as to them shall seem advisable; but no such sale and transfer shall be made by the commissioner or commissioners, or the supervisor acting as such commissioner of any town, without the approval and consent, in writing, of a majority of the justices of the peace in all towns where the supervisor acts as such commissioner; and in all other towns of the supervisor and a majority of the justices of the peace of such towns or by the commissioner or commissioners of any village without the like approval and consent of a majority of the trustees of such village; or, in any such case, without the approval and consent, in writing, of the county judge of the county in which such towns or villages is situated, which consents shall state the terms of sale and shall be acknowledged in the manner required for the acknowledgment of conveyances of real estate for record, and shall be filed and recorded in the clerk's office of said county. But no such sale and transfer shall be made by the commissioner or commissioners of any city until the following provisions have been fully complied with, viz.:

Whenever said commissioner or commissioners shall receive any proposition for the sale of the whole or any portion of said stock, said commissioner or commissioners shall notify, in writing, the common council of the city for which said commissioner or commissioners may have been appointed as aforesaid, of the terms and provisions of such proposed sale, and the said commissioner or commissioners shall not make a sale or transfer of said capital stock or any part thereof, unless said common council, at a regular or special meeting by a vote of the mayor and two-thirds of all the aldermen elected of said city, approves and consents to such proposed sale of said stock or any part thereof.

After said commissioner or commissioners shall notify the common council of any city in writing, as aforesaid, the city clerk of said city shall cause the same to be published in the official paper or papers of said city, if there be any, at least twice, and the common council of any such city shall not approve or consent to such proposed sale at any regular or special meeting unless said notification shall have been published at least twice in the official paper or papers of said city, if there be any.

But no such sale or transfer shall be made until the official record of all such proceedings, containing the notice of the said commissioners to said common council of such proposed sale and the vote of the mayor and common council thereon, receive the approval and consent of the county judge of the county in which any such city is situated.

Sec. 3. All acts and parts of acts inconsistent with this act are hereby repealed.

Sec. 4. This act shall take effect immediately.

Amend the title so as to read as follows:

"An act to authorize the sale by towns, cities and villages in the counties of Chemung, Delaware, Madison, Ulster, Sullivan, Cortland, Orange, Cayuga and Oswego, the towns of Pittsfield and Edmeston, in the county of Otsego, and the town of Vienna, in the county of Oneida, of capital stock in railroad companies."

Said bill, as amended, was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative.

a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Hynes	Sheridan
Baker, B. F.	Curtis	Ingersoll	Sherman
Baker, C. S.	Cushing	Kennedy	Shuit
Beach	Davis	Lefever	Sipp
Beates	Deane	Lindsay	Skinner
Benedict, E. D.	Dougherty	Low	Slingerland
Bennett	Douglass	McAvoy	Steele
Brennan	Duell	Miller	Tallmadge
Bridges	Ellis	Mitchell	Terpeny
Brodsky	Evans	Nowlan	Terry
Bullock	Gorsline	Parker	Titus
Carpenter, E. A.	Gray	Phillips	Tozier
Carpenter, I. S.	Grosse	Potter	Travis
Catlin	Gwinup	Potts	Tully
Clowes	Hayes	Rhodes	Varnum
Cohen	Hoffman	Roberts	Waterbury
Comstock	Howland	Root	Wells, D. A.
Congdon	Hurd	Sanders	Wren
Cookinham	Husted	Shanley	Youngs
Crafts			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 435 of the Laws of 1868, entitled 'An act to incorporate the village of Hamilton, in the county of Madison, and to repeal its present charter,' as amended by chapter 166 of the Laws of 1877, and by chapter 19 of the Laws of 1878," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 76 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Ingersoll	Sheridan
Andrews	Crafts	Kennedy	Sherman
Ash	Crapser	Lefever	Shuit
Baker, B. F.	Cullinan	Lindsay	Sipp
Baker, C. S.	Cushing	McAvoy	Sisson
Beach	Davis	McTernan	Skinner
Beates	Douglass	Miller	Slingerland
Benedict, E. D.	Ellis	Mitchell	Steele
Benedict, T. E.	Evans	Morgan	Tallmadge
Bradley	Fish	Nowlan	Terpeny
Brennan	Gorsline	Parker	Terry
Bridges	Gray	Phillips	Titus
Brodsky	Griggs	Pitcher	Travis
Bullock	Grosse	Potter	Tuthill, H. H.
Carpenter, E. A.	Gwinup	Rhodes	Varnum



Carpenter, I. S.	Hayes	Roberts	Waterbury
Catlin	Hoffman	Root	Wells, D. A.
Cohen	Hurd	Russell	Wells, J. L.
Congdon	Husted	Shanley	Wren

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Ingersoll moved to take from the table the motion to reconsider the vote by which the bill entitled "An act to amend chapter 34 of the Laws of 1858, entitled 'An act to make school district No. 9 in the town of Pomfret a union free school district,'" was passed, the same having been re-called from the Governor.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the reconsideration of said vote, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 89 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Congdon	Kennedy	Sipp
Andrews	Cookinham	Lefever	Sisson
Ash	Crafts	Lindsay	Skinner
Baker, B. F.	Cullinan	Low	Slingerland
Baker, C. S.	Curtis	McAvoy	Steele
Beach	Cushing	McCabe	Tallmadge
Beates	Davis	McTernan	Terpeny
Benedict, E. D.	Dougherty	Miller	Terry
Bradley	Douglass	Mitchell	Titus
Brennan	Ellis	Morgan	Tormey
Bridges	Evans	Nowlan	Tozier
Brodsky	Fish	Parker	Travis
Bullock	Fiske	Pitcher	Treanor
Carpenter, E. A.	Gorsline	Potter	Tuthill, H. H.
Carpenter, I. S.	Gray	Rhodes	Tuttle, R. M.
Oase	Hagan	Roberts	Varnum
Catlin	Hayes	Root	Waterbury
Chamberlain	Howland	Sanders	Wells, D. A.
Chase	Hurd	Shanley	Wells, J. L.
Childs	Husted	Sheridan	Weston
Clowes	Hynes	Sherman	Wren
Cohen	Ingersoll	Shuit	Yeung
Comstock			

Those who voted in the negative, were

Crapser

The Senate returned the bill entitled "An act to amend chapter 312 of the Laws of 1861, entitled 'An act to revise, amend and consolidate the several acts relating to the village of Sag Harbor, and the several acts amendatory thereof,'" with a message that they had passed the same without amendment.

*Ordered*, That the Clerk deliver said bill to the Governor.

The hour of 2 o'clock having arrived, the Speaker declared the House adjourned until to-morrow morning at 11 o'clock.

## WEDNESDAY MORNING, FEBRUARY 18, 1880.

The House met pursuant to adjournment.

Prayer by Rev. G. C. Baldwin, of Troy.

The journal of yesterday was read and approved.

The Senate sent for concurrence the bills entitled as follows :

"An act to amend chapter 857 of the Laws of 1872, entitled 'An act to amend an act entitled 'An act to incorporate the Poughkeepsie Bridge Company, for the purpose of constructing and maintaining a bridge, appurtenances and approaches to the same, over the Hudson river at a point or points between the city of Poughkeepsie and the town of Lloyd, Ulster county, on said river,' passed May 10, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act in relation to the sale, and the proceeds of sale, of certain school property in the city of Albany," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Griggs said bill was substituted for Assembly bill No. 175, on the same subject.

"An act in relation to the port and harbor of New York and the waters near the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to prevent the obstruction and incumbrance of docks, wharves and piers in the cities of New York and Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act relative to lands under water in front of lands devised by James Morris, deceased," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

A message from the Senate was received and read informing of concurrence in the passage of the bills entitled as follows :

"An act to regulate the depositing of securities by insurance companies with the Superintendent of the Insurance Department. "

"An act to authorize the extension of the time for the collection of taxes in the several towns in this State."

"An act to extend the charter of the 'Central City Railway,' organized under and in pursuance of chapter 483 of the Laws of 1859."

"An act to authorize the State Comptroller to dispose of United States securities held by him for various trust funds, and to reinvest the proceeds from sales of said securities."

"An act to provide for the payment to the treasurer of Kings county of the amount of State and county taxes annually raised by the city of Brooklyn."

"An act in relation to the public buildings and grounds belonging to Erie county and the city of Buffalo.

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Beates introduced a bill entitled "An act to render town and city bonds issued to aid in the construction of railroads within the State

of New York taxable in the towns and cities respectively, or for which they were issued," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Weston introduced a bill entitled "An act to establish a ferry from the farm of Henry G. Burleigh, of the county of Essex, across Lake Champlain," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Brennan introduced a bill entitled "An act to amend an act to amend an act entitled 'An act for the relief of stockholders of corporations whose certificates of stock have been lost or destroyed,' passed March 27, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Tallmadge introduced a bill entitled "An act to amend the Code of Civil Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Miller introduced a bill entitled "An act to regulate the running of steamboats on Cazenovia lake," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Terpeny introduced a bill entitled "An act to provide for the opening of certain parts or portions of 126th street and 127th street in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Deane introduced a bill entitled "An act for the relief of Whitfield Van Cott," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Varnum (by request) introduced a bill entitled "An act for providing a site for an armory in the city of New York, for the use of the 9th Regiment of the National Guard of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Low introduced a bill entitled "An act to provide for the dissolution of union free school districts, in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Howland introduced a bill entitled "An act to confirm the official acts of James S. Williams, Endelmer E. Moon and Theodore S. Cowles, commissioners of excise in and for the town of Tully in the county of Onondaga," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary. Accompanied by a petition.

Mr. C. S. Baker introduced a bill entitled "An act to authorize and empower the State Board of Audit to adjust and settle certain differences existing between the State and the county of Monroe," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Also, the bill entitled "An act further to amend the Code of Civil Procedure," which was read the first time, and by unanimous con-

sent was also read the second time, and referred to the committee on the judiciary.

Mr. Congdon introduced a bill entitled "An act to amend section 82, article 3, title 4, chapter 2, part 4 of the Revised Statutes, relative to removing indictments to the Supreme Court from Courts of Oyer and Terminer," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Peck introduced a bill entitled "An act in relation to druggists, grocers, or dealers in merchandise, who deal in intoxicating liquors, wines, ale and beer," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Russell introduced a bill entitled "An act to amend an act entitled 'An act to authorize the appointment of commissioners to fix the grade, and improve sidewalks and open and improve streets, in the town of New Lots, Kings county,' passed April 24, 1872, and known as chapter 349, Laws of 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Leave of absence was granted to Mr. Rhodes.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Evans (introductory No. 311), entitled "An act in relation to the county treasurer in the counties of Monroe and Seneca," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Davis (introductory No. 439), entitled "An act to authorize the treasurer of Steuben county to sell property for unpaid taxes," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Cohen (introductory No. 8), entitled "An act to exempt charitable institutions from the payment of water tax rent," reported in favor of discharging the committee from the further consideration of said bill, and that it be referred to the committee on affairs of cities.

*Ordered*, That said bill be referred to the committee on affairs of cities.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Cookinham (introductory No. 126), entitled "An act in relation to uncollected taxes in the several towns and wards in this State," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by the ways and means committee (introductory No. 457), entitled "An act making appropriations for the support of government," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Husted moved that said bill be made a special order for tomorrow morning immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Cookinham (introductory No. 128), entitled "An act to amend chapter 446, Laws of 1879, entitled 'An act to amend chapter 361, Laws of 1867, entitled 'An act authorizing supplementary proceedings for the collection of taxes,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Russell (introductory No. 70), entitled "An act to amend chapter 483 of the Laws of 1866, entitled 'An act to protect primary meetings, caucuses and conventions of political parties,' passed April 24, 1866," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Sisson (introductory No. 473), entitled "An act to release the interest of the people of the State of New York in and to certain real estate in the city of Troy, in the county of Rensselaer, of which Arthur Mooney died seized, to Mary Jane Mooney, his widow," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. J. L. Wells (introductory No. 513), entitled "An act to amend an act entitled 'An act authorizing the incorporation of rural cemetery associations,' passed April 27, 1847, and the acts amendatory thereof," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Sharpe (introductory No. 179), entitled "An act to legalize and confirm the action of the board of supervisors of the county of Ulster, in the division of the town of Kingston in said county, by erecting the town of Ulster therefrom and attaching a portion to town of Woodstock in said county," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Curtis (introductory No. 351), entitled "An act to grant relief for the sureties of trustees appointed by the Supreme Court of the State of New York," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Clancy (introductory No. 262), entitled "An act to provide for the payment of certain assessments on property of the Bridge Street African Methodist Episcopal Church of the city of Brooklyn," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was

referred the bill introduced by Mr. Slingerland (introductory No. 421), entitled "An act to permit and authorize the city of Albany to issue the bonds of said city for the payment of the expenses of draining, grading, forming, paving and flagging a portion of South Pearl street in the city of Albany, and to extend the time of payment of the assessments therefor," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Duguid (introductory No. 482), entitled "An act to authorize the common council of the city of Syracuse to raise and expend money for the purchase of cemetery," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Slingerland (introductory No. 407), entitled "An act further to amend section 2 of chapter 139 of Laws of 1870, as amended by chapter 402 of Laws of 1877, entitled 'An act to annex parts of the towns of Bethlehem and Watervliet, in the county of Albany, to the city of Albany, and to exempt such parts thereof from certain taxes and to annex a part of the city of Albany to the town of Watervliet,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Clowes (introductory No. 353), entitled "An act to provide for the improvement of Steinway avenue in Long Island City," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Andrews (introductory No. 475), entitled "An act conferring additional powers and duties upon the mayor of the city of Binghamton," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Potts (introductory No. 79), entitled "An act to repeal chapter 47 of the Laws of 1879, entitled 'An act authorizing the reduction of pay of certain town officers in the county of Sullivan,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Catlin (introductory No. 476), entitled "An act to amend chapter 83 of the Laws of 1879, entitled 'An act to dissolve the corporation known as the trustees of the town of Westchester, to abolish the office of trustees of said town, and preserve the records of said town,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Bullock (introductory No. 121), entitled "An act to amend chapter 482 of the Laws of 1875, entitled

'An act to confer on boards of supervisors further powers of local legislation, and to regulate the compensation of supervisors,' reported adversely thereto.

Mr. Bullock moved to disagree with this adverse report, and that said bill with adverse report be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Chase (introductory No. 347), entitled "An act authorizing the appropriation of money raised for town hall purposes in the village of Cooperstown, Otsego county," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Bradley (introductory No. 265), entitled "An act to amend section 90, chapter 426 of the Laws of 1847, entitled 'An act to provide for the incorporation of villages,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Weston, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Catlin (introductory No. 425), entitled "An act to provide for the construction, care and maintenance of the bridges over the Bronx river between the city and county of New York and the county of Westchester," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Weston, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Sharpe (introductory No. 419), entitled "An act to repeal chapter 178, entitled 'An act to repeal chapter 416 of the Laws of 1876, entitled 'An act to amend chapter 440 of the Laws of 1873, entitled 'An act requiring commissioners of public highways to act as inspectors of plank roads and turnpikes so far as the same relates to Ulster county,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Bullock, from the committee on public health, to which was referred the Senate bill (introductory No. 41), entitled "An act to amend chapter 324, Laws of 1850, entitled 'An act for the preservation of the public health,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Chickering, from the committee on game laws, to which was referred the bill introduced by Mr. Sherman (introductory No. 443), entitled "An act to amend section 8, chapter 534, Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Chickering, from the committee on game laws, to which was referred the bill introduced by Mr. Davis (introductory No. 415), entitled "An act for the preservation of fish in Loon lake, Steuben county, New York," reported in favor of the passage of the same,

which report was agreed to and said bill committed to the committee of the whole.

Mr. Roberts, from the committee on civil divisions, to which was referred the bill introduced by Mr. Beates (introductory No. 75), entitled "An act to divide the town of Tompkins, in the county of Delaware, and the erection of a new town from the westerly portion thereof," reported said bill for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

Mr. Peck, from the committee on petitions of aliens, to which was referred the bill introduced by Mr. Travis (introductory No. 382), entitled "An act to release the interest of the people of the State of New York in and to lands of which Richard Boyd and Joseph Boyd died seized to Margaret Bradley," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Peck, from the committee on petitions of aliens, to which was referred the bill introduced by Mr. Van Valkenburgh (introductory No. 57), entitled "An act to release and convey to Emily Wunders the interest of the people of the State of New York in certain real estate in the city of Lockport," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Peck, from the committee on petitions of aliens, to which was referred the bill introduced by Mr. Seeley (introductory No. 523), entitled "An act to release lands which have escheated to the State to Francis Marrin, the father of Francis Marrin, late of the village of Fairport, Monroe county, New York," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Peck, from the committee on petitions of aliens, to which was referred the bill introduced by Mr. Miller (introductory No. 274), entitled "An act to release to Ellen Kennedy and others the right, title and interest of the people of the State of New York, and to certain real estate in the county of Madison, of which Richard Kennedy died seized," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Messrs. Parker, Miller, Titus, Hoffman and Ingersoll presented petitions in favor of female reformatories for women; which were read and referred to the committee on State prisons.

Mr. Hoffman presented a petition for relief of Private George M. Cramer, a disabled national guardsman; which was read and referred to the committee on claims.

Mr. Wren presented a petition in favor of a children's park in the eastern district of Brooklyn; which was read and referred to the committee on affairs of cities.

Mr. Low presented a petition asking the Legislature to dissolve union free school district No. 1 of the town of Wilson. Also, remonstrance against such dissolution; which was read and referred to the committee on public education.

Mr. Beates presented a petition of citizens of Delaware county asking for relief from excessive prices charged therein for text-books used in common schools; which was read and referred to the committee on public education.



Privileges of the floor were granted to Hon. Wm. Caldwell.

Mr. Tuthill offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 43, entitled "An act to amend chapter 351 of the Laws of 1874, entitled 'An act to amend chapter 312 of the Laws of 1859, entitled 'An act to equalize the State tax among the several counties in the State, and to amend chapter 327 of the Laws of 1873 amendatory thereof,'" be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. O'Brien offered for the consideration of the House a resolution in the words following:

*Whereas*, A combination has been organized, and exists, among the paper manufacturers of this country by which the price of printing paper has been advanced some forty per cent, without any just reason; therefore

*Resolved*, That our Senators and Representatives in Congress be requested to vote in favor of the passage of the bill now pending in Congress to remove the duty on paper imported into this country to be used in printing, books, periodicals and newspapers.

*Resolved*, That a copy of these resolutions be sent to the Senators and Representatives from the State of New York in Congress.

Said resolution giving rise to debate,

*Ordered*, That the same be laid upon the table.

Mr. Varnum offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That when the Legislature adjourn on Friday next, it be until Tuesday morning, February 24, at eleven o'clock, A. M.

*Ordered*, That the same be laid on the table.

Mr. Cushing offered for the consideration of the House a resolution in the words following:

*Whereas*, The famine in Ireland has aroused the sympathy of the whole civilized world and recommends active efforts on the part of every class and country to alleviate the sufferings created thereby; and

*Whereas*, We recognize Ireland as one of the nurseries of American freedom, where her sons fought on every battle-field to uphold the Republic; therefore,

*Resolved* (if the Senate concur), That the sum of \$50,000 be appropriated for the relief of the sufferers in Ireland, and that the comptroller be and is hereby directed to draw his warrant for said sum, and hand over the same to the proper authorities.

*Ordered*, That the same be laid upon the table.

Mr. Case called from the table a resolution previously offered by him in the words following:

*Whereas*, It is generally admitted by the officers and members of this House that the acoustics of the Assembly chamber is defective, to the extent that it is at all times during business hours difficult and many times impossible to hear and understand the Speaker, the Clerk, or the members on the floor; and

*Whereas*, The importance of good acoustic qualities in a room for legislative deliberation and action should be estimated only by the importance of good and wholesome laws; and

*Whereas*, The change made by the committee appointed last year to remedy the defect then and now complained of fails to accomplish, in any perceptible degree, that purpose; therefore,

*Resolved*, That the architects and commissioners of the New Capitol, the Speaker and Clerk of the Assembly, as a committee hereby appointed, are requested to devise and execute some plan that will remedy the acoustic defect of the Assembly Chamber; and they are requested, during the present term of the Legislature, to test different plans until the defect shall be corrected, though it may be at the sacrifice of some artistic beauty.

Mr. Cullinan moved to amend said resolutions at end thereof in the words following:

"And further, be it

*Resolved*, That said committee, when appointed, investigate the heating of the Assembly Chamber, and report some method for the more general diffusion of heat and the prevention of draughts of cold air."

Mr. Varnum moved further to amend in words following:

"And also, whether a rearrangement of the seats of members be not desirable; and be it further

*Resolved*, That the question of properly ventilating the committee rooms of the Assembly be referred to the same committee."

Mr. Case moved the previous question.

Mr. Speaker put the question "Shall the main question now be put?" and it was determined in the affirmative.

The amendments of Messrs. Varnum and Cullinan were accepted by Mr. Case.

Mr. Speaker then put the question whether the House would agree to said resolution, as amended, and it was determined in the affirmative.

Mr. Gwinup offered for the consideration of the House a resolution in the words following:

*Whereas*, Under the operation of the Constitution of the United States the several departments of government, limited in tenure, have always been filled by able men; and

*Whereas*, Life tenure or great length of time in holding the chief executive office has proved destructive to republican governments, and has been the commencement of imperial and monarchical governments; and

*Whereas*, It is our duty to perpetuate the legacy of the fathers under which with God's favor we have thus far prospered; and

*Whereas*, The change of persons as Presidents after not exceeding service of two terms of four years, has proved a peaceful method for prevention of internal feuds inspired by insatiable ambition; and

*Whereas*, The renomination for the presidency of a distinguished citizen, who has twice received the highest civic honors the country can bestow upon him, is again seriously considered; therefore (if the Senate concur),

*Resolved*, That, in the opinion of the Legislature of the State of New York, a "third term" nomination for the presidency is wholly inadvisable as being against the best interests, peace and welfare of the country.

*Resolved* (if the Senate concur), That our Senators and Representatives in Congress be, and they are hereby instructed to present an amendment to the Federal Constitution limiting the eligibility of

citizens to the presidency to two terms of four years each and no more.

Said resolution giving rise to debate,

*Ordered*, That the same be laid upon the table.

Mr. Waterbury offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That 1,200 copies of the Ninth Annual Report of the State Homœopathic Asylum for the Insane be printed for the use of that institution.

*Ordered*, That said resolution be referred to the committee on public printing.

Mr. McCabe called from the table the Senate resolution in words following:

*Whereas*, The city of New York is the most important seaboard center not only of this State, but of the United States, and the proper protection of the commercial and industrial interests of the city is by necessity connected with the prosperity of the country at large; and

*Whereas*, The harbor defenses and fortifications of the city of New York against attacks from marine forces are manifestly inadequate to afford security to the city, should such attacks be made upon it, and the erection and maintenance of proper and suitable defenses to the city is a matter of national importance and properly belongs to the Federal Congress; therefore

*Resolved* (if the Senate concur), That our Senators and Representatives in Congress be requested to use their influence to secure an early appropriation sufficient for the speedy erection and proper maintenance of the fortifications and defenses necessary for the protection of the city of New York against hostile attacks.

*Resolved*, That a copy of these resolutions be forwarded to our Senators and Representatives in Congress.

Mr. Speaker put the question whether the House would agree to said resolution; and it was determined in the affirmative.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Terry (introductory No. 235), entitled "An act repealing certain acts and parts of acts," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Russell moved to take from the table the message of the Senate returning the bill entitled "An act authorizing the board of supervisors of the county of Kings to purchase land for the purposes of the National Guard," in the words following:

Strike out all after the enacting clause and insert the following:

SECTION 1. The board of supervisors of the county of Kings are hereby authorized to raise by tax, or by the issue of certificates of indebtedness, a sum not to exceed \$57,400 for the purpose of purchasing land in said county, upon which the State is to erect an armory pursuant to the provisions of chapter 272 of the Laws of 1879, such land to be purchased in conformity with the terms and conditions named in a resolution adopted by said board of supervisors November 20, 1879. The payment of said certificates of indebtedness shall be provided for in three annual installments in the three annual tax levies of said county next succeeding and interest thereon shall not exceed five per cent per annum.

Sec. 2. Upon the erection by the State of the armory as provided in

chapter 272 of the Laws of 1879, and its occupation in pursuance of the provisions of said law, the board of supervisors of the county of Kings are authorized to dispose of the armories now occupied by the 32d and 47th Regiments of the National Guard. The proceeds of the sale of said armories shall be used for the purpose of redeeming the certificates of indebtedness authorized to be issued in the first section of this act, or if said certificates shall have been redeemed, then the amount derived from the sale of said armories shall be credited to the general fund of said county of Kings, and shall be deducted from the annual tax levy next succeeding.

Sec. 3. In case of the sale of the armories aforesaid, such sale shall be by public auction under the direction of the county treasurer, and upon such terms and conditions as shall be designated by the board of supervisors of Kings county.

Sec. 4. This act shall take effect immediately.

Mr. Speaker put the question whether the House would agree to the motion of Mr. Russell to take from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 92  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapsier	Hynes	Sanders
Andrews	Cullinan	Ingersoll	Shanley
Baker, B. F.	Curtis	Kennedy	Sherman
Baker, C. S.	Cushing	Lefever	Shuit
Beach	Davis	Lindsay	Sipp
Beates	Deane	Low	Skinner
Benedict, E. D.	Dougherty	McAvoy	Slingerland
Benedict, T. E.	Douglass	McCabe	Terpeny
Brennan	Duell	Miller	Terry
Bridges	Duguid	Mitchell	Thilemann
Brodsky	Ellis	Morgan	Titus
Bullock	Evans	Newman	Tormey
Carpenter, E. A.	Ferris	Nowlan	Tozier
Carpenter, I. S.	Fish	O'Brien	Tuthill, H. H.
Case	Fitzgerald	O'Connor	Tuttle, R. M.
Catlin	Gibbs	Parker	Van Valkenburgh
Chase	Gillette	Peck	Varnum
Chickering	Gray	Phillips	Waterbury
Cohen	Griggs	Potter	Wells, D. A.
Comstock	Gwinup	Potts	Wells, J. L.
Congdon	Hoffman	Roberts	Weston
Cookinham	Howland	Root	Wren
Crafts	Husted	Russell	Mr. Speaker

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

By unanimous consent,

Mr. Chase, from the committee on agriculture, to which was referred the bill introduced by Mr. Tuttle (introductory No. 413), entitled "An act to amend section 1 of chapter 498 of the Laws of 1872, entitled 'An act for the protection of livery-stable keepers and other

persons keeping horses at livery or pasture,'” reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Chase, from the committee on agriculture, to which was referred the bill introduced by Mr. Curtis (introductory No. 430), entitled “An act to amend chapter 415 of the Laws of 1877, entitled ‘An act for the protection of dairymen and to prevent deception in sale of butter,’” reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Van Valkenburgh introduced a bill entitled “An act to legalize the acts of George M. Warren, a justice of the peace of the town of Wheatfield, Niagara county,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Pursuant to ninth joint rule, Mr. Speaker announced order of business, third reading of bills.

The bill entitled “An act to repeal section 16 of chapter 143 of the Laws of 1874, entitled ‘An act to authorize the formation of corporations for the erection and keeping of hotels,’ and to re-enact the provisions of, and to supplement chapter 371 of the Laws of 1866, entitled ‘An act to extend the operation and effect of the act passed February 17, 1848, entitled ‘An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,’” being announced for a third reading, on motion of Mr. Bradley, and by unanimous consent, said bill was amended in words following: Strike out all after the enacting clause and insert the following:

SECTION 1. Any three or more persons may organize and form themselves into a corporation in the manner specified and required in and by the act entitled “An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,” passed February 17, 1848, and the amendments thereof and supplements thereto, for the purpose of accumulating, storing, conducting, furnishing and supplying water for mining purposes, and may acquire, take, hold, lease and convey lands and water power suitable for those purposes.

Sec. 2. Every corporation so formed and the stockholders thereof shall be subject to all the provisions, duties and obligations contained in the above-mentioned act, and shall be entitled to all the benefits and privileges thereby conferred, except that such corporations shall not be confined in their operations to the county in which their certificate shall be filed.

Sec. 3. It shall and may be lawful for any corporation heretofore incorporated for mining purposes, under the act mentioned in the second section, to conduct the business for which the formation of corporations is authorized by said second section; provided the intention so to do shall be specified among the objects for which such corporation is formed in its certificate of incorporation.

Sec. 4. It shall and may be lawful for any corporation heretofore incorporated for mining purposes under chapter 371 of the Laws of 1866, entitled “An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,” or under

any amendment of or supplement to the said act, to conduct the business for which the formation of corporations is authorized by this act; *provided* a certificate signed and acknowledged by a majority of the trustees of the said corporation shall be filed in the office of the clerk of the county where the original certificate of incorporation was filed, and a certified copy thereof in the office of the Secretary of State, stating that the said corporation intends to avail itself of the provisions of this act, and to carry on the business provided for in this act in addition to the business specified in the said original certificate of incorporation.

Sec. 5. This act shall take effect immediately.

Amend the title so as to read "An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	McAvoy	Skinner
Andrews	Deane	McCabe	Slingerland
Ash	Dougherty	McTernan	Steele
Baker, B. F.	Douglass	Mead	Terpeny
Baker, C. S.	Duguid	Miller	Terry
Beach	Ellis	Nowlan	Thilemann
Beates	Evans	O'Connor	Titus
Benedict, E. D.	Ferris	Parker	Tormey
Bradley	Fitzgerald	Peck	Tozier
Bridges	Gibbs	Phillips	Travis
Brodsky	Gillette	Potter	Tully
Bullock	Gorsline }	Potts	Tuthill, H. H.
Carpenter, I. S.	Gray	Roberts	Tuttle, R. M.
Catlin	Griggs	Root	Van Valkenburgh
Chase	Gwinup	Russell	Varnum
Chickering	Hoffman	Seeley	Waterbury
Childs	Howland	Shanley	Wells, D. A.
Cohen	Hurd	Sheridan	Wells, J. L.
Comstock	Hynes	Sherman	Weston
Crapser	Ingersoll	Shuit	Wiley
Cullinan	Kennedy	Sipp	Wren
Cushing	Lelever		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Ingersoll moved to take from the table the bill entitled "An act to amend chapter 34 of the Laws of 1858, entitled 'An act to make school district No. 9 in the town of Pomfret a union free school district.'"

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Ingersoll, and by unanimous consent, said bill was amended in words following: Strike out all of section 2, as it now reads, and make new section 2 to read as follows:

Sec. 2. The annual election for member of said board of education shall be on the second Wednesday of October, and the polls for said election shall be open from 12 o'clock noon till 8 o'clock in the afternoon.

Said bill, as amended, was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapsier	Kennedy	Sipp
Andrews	Cullinan	Lefever	Skinner
Ash	Curtis	Lindsay	Slingerland
Baker, C. S.	Cushing	Low	Steele
Beach	Davis	McCabe	Terry
Beates	Deane	Miller	Titus
Benedict, E. D.	Dougherty	Mitchell	Tormey
Brennan	Duguid	Nowlan	Travis
Bridges	Evans	O'Brien	Tully
Brodsky	Ferris	Peck	Tuthill, H. H.
Bullock	Fish	Potter	Tuttle, R. M.
Carpenter, E. A.	Gibbs	Potts	Van Valkenburgh
Carpenter, I. S.	Gillette	Roberts	Varnum
Catlin	Gorsline	Root	Warner
Chamberlain	Gray	Russell	Waterbury
Chase	Griggs	Seeley	Wells, D. A.
Childs	Hurd	Shanley	Wells, J. L.
Clowes	Husted	Sheridan	Weston
Comstock	Hynes	Sherman	Wren
Congdon	Ingersoll	Shuit	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to and reducing the number of justices of the peace, creating judicial districts and providing for local inferior courts in the city of Brooklyn," being announced for a third reading, Mr. Shanley moved to recommit said bill to the committee on the judiciary, with instructions to amend the same in words following:

Sec. 12 (as printed), On line 1, strike out "July, 1880," and insert "January, 1881."

Mr. Alvord moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

{ AYES 74 }  
{ NOES 29 }

Those who voted in the affirmative, were

Alvord	Cookinham	Lefever	Skinner
Ash	Crapsier	Lindsay	Slingerland
Baker, B. F.	Cullinan	Low	Steele
Baker, C. S.	Curtis	McCabe	Terpeny
Beach	Davis	Miller	Terry
Beates	Deane	Mitchell	Titus
Bradley	Douglass	Morgan	Tozier
Brennan	Duguid	Nowlan	Travis

Bridges	Evans	Phillips	Tuthill, H. H.
Brodsky	Ferris	Pitcher	Tuttle, R. M.
Bullock	Fish	Potter	Van Valkenburgh
Carpenter, I. S.	Gillette	Potts	Varnum
Case	Goralline	Roberts	Warner
Chamberlain	Griggs	Root	Waterbury
Chase	Howland	Russell	Wells, D. A.
Childs	Hurd	Seeley	Wells, J. L.
Clowes	Husted	Shuit	Weston
Comstock	Ingersoll	Sipp	Wren
Congdon	Kennedy		

Those who voted in the negative, were

Benedict, E. D.	Ellis	McAvoy	Sheridan
Benedict, T. E.	Fitzgerald	McDonald	Thilemann
Bennett	Gibbs	McTernan	Tormey
Catlin	Gwinup	Newman	Treanor
Clancy	Hagan	O'Connor	Tully
Costello	Hoffman	Parker	Walsh
Cushing	Hynes	Shanley	Wiley
Dougherty			

Mr. Speaker then put the question whether the House would agree to said motion offered by Mr. Shanley, and it was determined in the negative.

{ AYES 31 }  
{ NOES 77 }

Those who voted in the affirmative, were

Benedict, E. D.	Dougherty	McAvoy	Terpeny
Benedict, T. E.	Ellis	McDonald	Thilemann
Bennett	Fitzgerald	McTernan	Tormey
Catlin	Gibbs	Newman	Treanor
Clancy	Gwinup	O'Connor	Tully
Cohen	Hagan	Parker	Walsh
Costello	Hoffman	Shanley	Wiley
Cushing	Hynes	Sheridan	

Those who voted in the negative, were

Alvord	Congdon	Husted	Sipp
Andrews	Cookinham	Ingersoll	Skinner
Ash	Crafts	Kennedy	Slingerland
Baker, B. F.	Crapser	Lefever	Steele
Baker, C. S.	Cullinan	Lindsay	Tallmadge
Reach	Curtis	Low	Terry
Beates	Davis	McCabe	Titus
Bradley	Deane	Mitchell	Tozier
Brennan	Douglass	Morgan	Travis
Bridges	Duell	Nowlan	Tuthill, H. H.
Brodsky	Duguid	O'Brien	Tuttle, R. M.
Carpenter, E. A.	Evans	Phillips	Van Valkenburgh
Carpenter, I. S.	Ferris	Pitcher	Varnum
Case	Fish	Potter	Warner
Chamberlain	Gillette	Roberts	Waterbury
Chase	Goralline	Root	Wells, D. A.
Chickering	Gray	Russell	Wells, J. L.
Childs	Howland	Seeley	Weston
Clowes	Hurd	Sherman	Wren
Comstock			



Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }  
{ NOES 31 }

Those who voted in the affirmative, were

Alvord	Congdon	Husted	Sherman
Andrews	Cookinham	Kennedy	Shuit
Ash	Crafts	Lefever	Sipp
Baker, B. F.	Crapser	Lindsay	Skinner
Baker, C. S.	Cullinan	Low	Slingerland
Beach	Curtis	McCabe	Terry
Beates	Davis	Miller	Titus
Bradley	Deane	Mitchell	Tozier
Brennan	Douglass	Morgan	Travis
Bridges	Duell	Nowlan	Tuthill, H. H.
Brodsky	Duguid	O'Brien	Tuttle, R. M.
Carpenter, E. A.	Evans	Peck	Van Valkenburgh
Carpenter, I. S.	Ferris	Phillips	Warner
Case	Fish	Pitcher	Waterbury
Chamberlain	Gorsline	Potter	Wells, D. A.
Chickering	Gray	Roberts	Wells, J. L.
Childs	Grosse	Root	Weston
Clowes	Howland	Russell	Wren
Comstock	Hurd	Seeley	

Those who voted in the negative, were

Benedict, E. D.	Cushing	Hynes	Sheridan
Benedict, T. E.	Dougherty	McAvoy	Terpeny
Bennett	Ellis	McDonald	Thilemann
Bullock	Fitzgerald	McTernan	Tormey
Catlin	Gibbs	Newman	Treanor
Clancy	Gwinup	O'Connor	Walsh
Cohen	Hagan	Parker	Wiley
Costello	Hoffman	Shanley	

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Tuttle, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend chapter 127 of the Laws of 1860, entitled 'An act to organize a fire department in the village of Delhi, Delaware county.'"

"An act to amend chapter 479 of the Laws of 1867, entitled 'An act to amend the charter of the village of Dunkirk.'"

"An act in relation to receivers of insolvent corporations."

"An act to amend chapter 126 of the Laws of 1873, entitled 'An act to organize a board of school commissioners in and for the city of Troy,' and the several acts amendatory thereof."

Mr. Comstock moved that bill No. 168, entitled "An act to amend chapter 126 of the Laws of 1873, entitled 'An act to organize a board of school commissioners in and for the city of Troy,' passed March 25, 1873, and the several acts amendatory thereof," be read a third time.

Mr. Clancy moved to lay said motion on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Comstock, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Husted moved the previous question.

Mr. Speaker put the question, "Shall the main question now be put?" and it was determined in the affirmative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 75 }  
{ NOES 28 }

Those who voted in the affirmative, were

Alvord	Congdon	Ingersoll	Shuit
Andrews	Cookinham	Kennedy	Sipp
Ash	Crafts	Lefever	Slingerland
Baker, B. F.	Crapser	Lindsay	Steele
Beach	Cullinan	Low	Tallmadge
Beates	Curtis	McCabe	Terpeny
Bradley	Davis	Miller	Terry
Brennan	Deane	Mitchell	Tozier
Bridges	Douglass	Morgan	Travis
Brodsky	Duell	Nowlan	Tuttle, R. M.
Bullock	Duguid	O'Brien	Van Valkenburgh
Carpenter, E. A.	Evans	Peck	Varnum
Carpenter, I. S.	Fish	Phillips	Warner
Case	Gillette	Pitcher	Waterbury
Chamberlain	Gorsline	Potter	Wells, D. A.
Chickering	Griggs	Roberts	Wells, J. L.
Childs	Grosse	Root	Weston
Clowes	Howland	Russell	Wren
Comstock	Husted	Sanders	

Those who voted in the negative, were

Benedict, E. D.	Cushing	McAvoy	Sheridan
Benedict, T. E.	Dougherty	McDonald	Thilemann
Bennett	Ellis	McTernan	Tormey
Catlin	Fitzgerald	Newman	Treanor
Claney	Gibbs	O'Connor	Tully
Cohen	Hoffman	Parker	Walsh
Costello	Hynes	Shanley	Wiley

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill, No. 77, entitled "An act to authorize the sale of lands in the town and village of Saratoga Springs, for unpaid State, county, and municipal taxes including water rates and special assessments," being announced for a third reading, Mr. Potter moved to recommit said bill to the committee on affairs of villages, with instruction to amend said bill in words following, and report forthwith:

Sec. 3, line 3, after the word "Springs" insert "having the largest circulation."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Sanders, from the committee on affairs of villages, reported back said bill as amended by the House.

Said bill, as amended, was then read a third time

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Husted	Shuit
Andrews	Costello	Hynes	Sipp
Ash	Crafts	Ingersoll	Slingerland
Baker, B. F.	Crapser	Kennedy	Steele
Baker, C. S.	Cullinan	Lefever	Tallmadge
Beach	Davis	Lindsay	Terpeny
Benedict, E. D.	Deane	Low	Terry
Benedict, T. E.	Dougherty	McAvoy	Titus
Bradley	Douglass	McCabe	Tozier
Brennan	Duell	Miller	Travis
Bridges	Duguid	Mitchell	Tuthill, H. H.
Brodsky	Evans	Nowlan	Tuttle, R. M.
Bullock	Ferris	O'Connor	Van Valkenburgh
Carpenter, E. A.	Fish	Peck	Varnum
Case	Gibbs	Pitcher	Warner
Cattin	Goralline	Potter	Waterbury
Chamberlain	Gray	Roberts	Wells, D. A.
Chickering	Griggs	Root	Wells, J. L.
Childs	Gwinup	Russell	Weston
Comstock	Hoffman	Sanders	Wiley
Congdon	Howland	Sherman	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend section 10 of title 8 of chapter 77 of the Laws of 1870, entitled 'An act to amend the act to combine into one act the several acts relating to the city of Albany, passed April 12, 1842, and the several acts amendatory thereof; and also to repeal the act to establish a capital police district and to provide for the government thereof, passed April 22, 1865, and the several acts amendatory thereof, in so far as they relate to the city of Albany,'" was read a third time.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
{ NOES 3 }

Those who voted in the affirmative, were

Alvord	Congdon	Husted	Sherman
Andrews	Cookinham	Hynes	Shuit
Baker, B. F.	Crafts	Ingersoll	Sipp
Baker, C. S.	Crapser	Kennedy	Skinner

Beach	Cullinan	Lindsay	Slingerland
Beates	Davis	Low	Steele
Benedict, E. D.	Deane	McAvoy	Tallmadge
Benedict, T. E.	Douglass	McCabe	Terpeny
Bennett	Duell	Miller	Terry
Bradley	Duguid	Mitchell	Titus
Bridges	Ellis	Morgan	Tozier
Brodskey	Evans	Nowlan	Travis
Bullock	Ferris	Parker	Treanor
Carpenter, E. A.	Fish	Peck	Tuthill, H. H.
Carpenter, I. S.	Gorsline	Pitcher	Tuttle, R. M.
Case	Gray	Potter	Van Valkenburgh
Chamberlain	Griggs	Potts	Varnum
Chase	Havens	Roberts	Warner
Chickering	Hoffman	Root	Waterbury
Childs	Howland	Russell	Wells, D. A.
Clowes	Hurd	Seeley	Wren
Comstock			

Those who voted in the negative, were

Clancy	Shanley	Walsh
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*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Costello introduced a bill entitled "An act to amend chapter 179 of the Laws of 1879, entitled 'An act to confer powers upon the common council of the city of New York to complete the restoration of Tompkins Square as a public park,'" was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The hour of 2 o'clock having arrived the House adjourned.

## THURSDAY MORNING, FEBRUARY 19, 1880.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Baldwin, of Troy.

The journal of yesterday was read and approved.

On motion of Mr. Congdon, and by unanimous consent, bill No. 158, entitled "An act to amend chapter 479 of the Laws of 1867, entitled 'An act to amend the charter of the village of Dunkirk,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES	77 }
{ NOES	00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Hoffman	Sanders
Andrews	Crafts	Howland	Seeley
Ash	Cullinan	Hurd	Sherman
Baker, B. F.	Curtis	Husted	Shuit
Baker, C. S.	Cushing	Lefever	Siason

Beach	Davis	Low	Skinner
Benedict, E. D.	Douglass	McTernan	Slingerland
Benedict, T. E.	Duguid	Miller	Steele
Bennett	Ellis	Morgan	Terpeny
Bradley	Evans	Nowlan	Titus
Bridges	Fish	O'Brien	Travis
Brodsky	Fiske	Parker	Tully
Bullock	Gillette	Phillips	Tuthill, H. H.
Carpenter, I. S.	Gorsline	Pitcher	Tuttle, R. M.
Case	Gray	Potts	Walsh
Chase	Griggs	Rhodes	Warner
Childs	Grosse	Roberts	Wells, D. A.
Clowes	Gwinup	Root	Wells, J. L.
Comstock	Havens	Russell	Wren
Congdon			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Andrews introduced a bill entitled "An act to forbid the disfranchisement of women at presidential elections," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Ash introduced a bill entitled "An act to provide for the collection of unpaid city taxes and local assessments in the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill entitled "An act to amend chapter 419 of the Laws of 1870, entitled 'An act to revise the charter of the city of Buffalo,' passed April 28, 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Cullinan (by request) introduced a bill entitled "An act to require banks, banking associations and individual bankers to redeem and retire their circulating notes and to authorize the Superintendent of the Banking Department to return the securities held by him to secure such circulation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

Mr. Rhodes introduced a bill entitled "An act to repeal chapter 416 of the Laws of 1876, entitled 'An act to amend chapter 440 of the Laws of 1873, entitled 'An act requiring commissioners of highways to act as inspectors of plankroads and turnpikes,' passed May 25, 1876, and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Potter introduced a bill entitled "An act to amend chapter 353 of the Laws of 1867, entitled 'An act to consolidate the several school districts and parts of districts within the corporate limits of the village of Saratoga Springs, and to establish a free union school or schools therein,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Gwinup introduced a bill entitled "An act for the preservation of deer in the vicinity of Lake George," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

Mr. Crafts introduced a bill entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages, so far as said act relates to the village of Wolcott,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Varnum introduced a bill entitled "An act to provide for the cleaning of streets and removal of garbage and ashes in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Brennan introduced a bill entitled "An act to incorporate the Chateaugay Water Works Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Cohen introduced a bill entitled "An act to exempt charitable institutions in the county of Kings and New York from the payment of water tax rents," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Hurd, from the committee on canals, to which was referred the bill introduced by Mr. Terry (introductory No. 442), entitled "An act to re-appropriate certain moneys in the treasury for the improvement of the Champlain canal," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Hurd, from the committee on canals, to which was referred the bill introduced by Mr. Root (introductory No. 307), entitled "An act to authorize the construction of a bridge over the Erie canal at Brockport, Monroe county, N. Y.," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Hurd, from the committee on canals, to which was referred the bill introduced by Mr. Hurd (introductory No. 452), entitled "An act reappropriating money for the payment of sums due to contractors for new work and extraordinary repairs on the canals, and to pay the certificates and drafts issued therefor," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Hurd, from the committee on canals, to which was referred the bill introduced by Mr. Hurd (introductory No. 461), entitled "An act to prevent certain abuses upon the canals of this State," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Hurd, from the committee on canals, to which was referred the bill introduced by Mr. Van Valkenburgh (introductory No. 414), entitled "An act to authorize the change of course of the east branch of the 18 mile creek in the county of Niagara," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Hurd, from the committee on canals, to which was referred the bill introduced by Mr. Hurd (introductory No. 459), entitled "An act making an appropriation to pay the expenses of the collectors of tolls, superintendence, ordinary repairs and maintenance of the canals for the fiscal year commencing on the 1st day of October, 1880, and

to provide for a contingent deficiency in the revenue of the canals for the calendar year 1880," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Hurd, from the committee on canals, to which was referred the Senate bill (introductory No. 130), entitled "An act to reappropriate certain moneys in the treasury for the improvement of the Champlain canal, and of the Glens Falls feeder," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Hurd, from the committee on canals, to which was referred the Senate bill (introductory No. 137), entitled "An act conferring jurisdiction on the Canal Appraisers to determine the amount of damages to which the Port Byron school district in the town of Mentz, in the county of Cayuga, is entitled to by reason of certain acts of this State," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Skinner, from the committee on railroads, to which was referred the bill introduced by Mr. Terry (introductory No. 510), entitled "An act to amend an act entitled 'An act to authorize the formation of railroad corporations and to regulate the same,' passed April 2, 1850," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Skinner, from the committee on railroads, to which was referred the bill introduced by Mr. Chickering (introductory No. 221), entitled "An act to authorize the railroad commissioners of the town of Lowville, Lewis county, to take up certain bonds and to issue other bonds in lieu thereof at a lower rate of interest," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Skinner, from the committee on railroads, to which was referred the bill introduced by Mr. McAvoy (introductory No. 88), entitled "An act requiring the horse railroad companies in New York city to employ a conductor and a driver for each and every car," reported adversely thereto.

Mr. McAvoy moved to lay said report on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said report, and it was determined in the affirmative.

Mr. Skinner, from the committee on railroads, to which was referred the bill introduced by Mr. Newman (introductory No. 494), entitled "An act in relation to railroads in cities and villages," reported adversely thereto, which report was agreed to.

Mr. Skinner, from the committee on railroads, to which was referred the bill introduced by Mr. Gibbs (introductory No. 466), entitled "An act to regulate the carrying of passengers on street railroads," reported adversely thereto.

Mr. Gibbs moved to lay said report on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said report, and it was determined in the affirmative.

Mr. Duguid, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Griggs (introductory No. 408), entitled "An act to amend chapter 456 of the Laws of 1879, entitled 'An act to prevent the deposit of mud, earth, soil, ashes or refuse in the North or Hudson river, and to prevent filling up the navigable waters of said river and to preserve the navigation thereof,' passed May 20, 1876," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Curtis, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Husted (introductory No. 381), entitled "An act to enable the Alanson Methodist Episcopal Church of the city of New York to transfer and convey certain real property," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Curtis, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Duguid (introductory No. 246), entitled "An act to incorporate the National Tent of the National Order of Rechabites," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Brennan, from the committee on militia, to which was referred the bill introduced by Mr. Brennan (introductory No. 463), entitled "An act to amend chapter 80, Laws of 1870, entitled 'An act to provide for the enrollment of the militia for the organization of the National Guard of the State of New York and for the public defense, and entitled 'The Military Code,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Brennan moved that said bill be recommitted to the committee on militia, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Bradley, from the committee on State charitable institutions, to which was referred sundry petitions for the establishment of a separate reformatory institution for women, returns the same to the House with the request that they be sent to the committee on State prisons.

Mr. Curtis, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Duguid (introductory No. 379), entitled "An act to amend an act entitled 'An act to incorporate the Domestic and Foreign Missionary Society of the Protestant Episcopal Church of the United States of America,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Bradley, from the committee on State charitable institutions, to which was referred the bill introduced by Mr. Dougherty (introductory No. 181), entitled "An act to establish, govern and manage the New York State Home for the Blind," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Bradley, from the committee on State charitable institutions,



to which was referred the bill introduced by Mr. Wiley (introductory No. 342), entitled "An act to incorporate the Grand Lodge Knights of Pythias of the State of New York," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Bradley, from the committee on State charitable institutions, to which was referred the Senate bill (introductory No. 19), entitled "An act to amend chapter 446 of the Laws of 1874, entitled 'An act to revise and consolidate the statutes of the State relating to the care and custody of the insane, the management of the asylums for their treatment and safe-keeping, and the duties of the State Commissioner in Lunacy,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Warner, from the committee on trade and manufactures, to which was referred the bill introduced by Mr. Childs (introductory No. 76), entitled "An act to create a board of mercantile commissioners and to regulate their powers," reported adversely thereto, which report was agreed to.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows:

"An act to amend chapter 598 of the Laws of 1870, entitled 'An act to amend an act to incorporate the city of Troy, passed April 12, 1816, and the several acts amendatory thereof; also to amend other acts relating to the city of Troy,' and supplemental thereto."

Mr. Speaker announced the special order of the day being the bill entitled "An act making appropriations for the support of government."

The House then resolved itself into a committee of the whole on the bill entitled as follows:

"An act making appropriations for the support of government."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Kennedy, from said committee, reported in favor of the passage of said bill with amendments, which report was agreed to.

Mr. Skinner moved to amend the report as follows, the same having been offered in committee of the whole:

In line 151, strike out "seven" and insert "five." Add at the end of line 152 the following: "and all that part of chapter 593 of the Laws of 1873, relating to the salary of the Superintendent of the Insurance Department is hereby repealed."

Mr. Speaker put the question whether the House would agree to said amendment, and it was determined in the negative.

{ AYES 40 }  
{ NOES 59 }

Those who voted in the affirmative, were

Ash	Congdon	Grosse	Rhodes
Beach	Cookinham	Gwinup	Root
Benedict, T. E.	Costello	Hagan	Seeley
Bradley	Crapser	Havens	Sheridan
Brennan	Curtis	Howland	Sherman
Bridges	Douglass	Low	Shuit
Catlin	Duguid	McDonald	Sipp
Chickering	Ellis	Nowlan	Skinner
Clowes	Evans	Parker	Terpeny
Cohen	Fish	Phillips	Tuthill, H. H.

Those who voted in the negative, were

Alvord	Davis	McAvoy	Slingerland!
Andrews	Dougherty	Mead	Terry
Baker, B. F.	Duell	Miller	Thilemann
Beates	Fiske	Mitchell	Titus
Benedict, E. D.	Gorsline	Morgan	Tormey
Brodsky	Gray	Newman	Tozier
Bullock	Griggs	O'Brien	Travis
Carpenter, I. S.	Hayes	Pitcher	Treanor
Case	Hoffman	Potter	Tuttle, R. M.
Chase	Hurd	Potts	Van Valkenburgh
Childs	Husted	Roberts	Varnum
Comstock	Hynes	Russell	Walsh
Crafts	Kennedy	Sanders	Waterbury
Cullinan	Lefever	Shanley	Wells, J. L.
Cushing	Lindsay	Sisson	

Mr. Speaker then put the question whether the House would agree to said report, and it was determined in the affirmative.

*Ordered* engrossed for a third reading.

By unanimous consent,

Mr. Skinner introduced a bill entitled "An act to fix the salary of the Superintendent of the Insurance Department," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Skinner gave notice that he would at some future day move to suspend the 37th, 40th, 42d and 43d rules, in order that the bill entitled "An act to fix the salary of the Superintendent of the Insurance Department," may be ordered to and have its third reading forthwith without previous reference.

Mr. Alvord moved that the Hon. James W. Husted be appointed Speaker *pro tem.* of the Assembly.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Messrs. Alvord and Shanley were appointed a committee to conduct the Speaker *pro tem.* to the chair.

Mr. Alvord moved that a committee of two be appointed to wait on the Governor and inform him of the election of Hon. James W. Husted as Speaker *pro tem.* of the Assembly.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Messrs. Alvord and Hoffman were appointed as such committee.

Mr. Varnum moved that a committee of two be appointed to wait on the Senate and inform that body of the election of Hon. James W. Husted as Speaker *pro tem.* of the Assembly.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Messrs. Varnum and T. E. Benedict were appointed as such committee

By unanimous consent,

Mr. Hayes introduced the bill entitled "An act for the relief of persons who performed the duties of clerks and assistant clerks of district courts in the city of New York in the year 1876," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Varnum introduced a bill entitled "An act to amend chapter 675 of the Laws of 1872, entitled 'An act in relation to elections in the

city and county of New York and to provide for ascertaining by proper proofs, the citizens who shall be entitled to the right of suffrage thereat," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Sipp introduced a bill entitled "An act to amend chapter 564 of the Laws of 1875, entitled 'An act to amend chapter 122 of the Laws of 1851, entitled 'An act for the incorporation of building, mutual loan and accumulating fund associations,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Alvord, from the committee appointed to wait upon the Governor and inform him of the election of Hon. James W. Husted as Speaker *pro tem.* of the Assembly, reported that they had discharged that duty.

Mr. Varnum, from the committee appointed to wait upon the Senate and inform that body of the election of Hon. James W. Husted as Speaker *pro tem.* of the Assembly, reported that they had performed that duty.

Mr. Low presented a petition praying for separate institutions for the detention and reformation of convicted women; which was read and referred to the committee on State prisons.

Messrs. Cookinham and Brodsky presented petitions praying for the passage of bill 111, in relation to the manufacturing of segars in the tenement houses of Brooklyn and New York; which were read and referred to the committee of the whole.

Mr. Miller presented a petition praying for an amendment to the Constitution to prohibit, except for the purposes of medical and other sciences, art and mechanism, the manufacture and sale of all intoxicating liquors within this State; which was read and referred to the committee on internal affairs.

Mr. Bradley, from the committee on State charitable institutions, to which was referred the bill introduced by Mr. Sharpe (introductory No. 96), entitled "An act relating to the State Board of Charities," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Comstock moved that the bill entitled "An act to amend chapter 598 of the Laws of 1870, entitled 'An act to amend an act to incorporate the city of Troy, passed April 12, 1816, and the several acts amendatory thereof; also to amend other acts relating to the city of Troy, and supplemental thereto,'" be read a third time.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The same having been announced for a third reading,

Mr. Rhodes moved to recommit the same to the committee on affairs of cities, with instructions to strike out in line 70, page 5, the word "*one*" and insert the word "*two*."

After debate thereon,

Mr. Terry moved the previous question.

Mr. Speaker put the question "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Rhodes, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 73 }  
{ NOES 26 }

Those who voted in the affirmative, were

Alvord	Comstock	Kennedy	Sipp
Andrews	Congdon	Lefever	Sisson
Ash	Cookinham	Lindsay	Skinner
Baker, B. F.	Crapser	Low	Slingerland
Baker, C. S.	Cullinan	Miller	Steele
Beach	Curtis	Mitchell	Tallmadge
Beates	Davis	Morgan	Terry
Benedict, E. D.	Deane	Nowlan	Titus
Bradley	Douglass	Phillips	Tozier
Brennan	Duell	Pitcher	Travis
Bridges	Duguid	Potter	Tuthill, H. H.
Brodsky	Evans	Potts	Tuttle, R. M.
Bullock	Ferris	Roberts	Van Valkenburgh
Carpenter, I. S.	Fish	Root	Varnum
Case	Gorsline	Russell	Waterbury
Chase	Gray	Sanders	Wells, J. L.
Chickering	Hayes	Seeley	Wren
Childs	Husted	Shuit	Youngs
Clowes			

Those who voted in the negative, were

Benedict, T. E.	Gibbs	McTernan	Sheridan
Catlin	Gwinup	Newman	Terpeny
Clancy	Havens	O'Connor	Thilemann
Costello	Hoffman	Parker	Treanor
Cushing	Hynes	Rhodes	Tully
Dougherty	McAvoy	Shanley	Walsh
Ellis	McDonald		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence the bill entitled as follows:

"An act to amend chapter 63 of the Laws of 1857, entitled 'An act to revise the charter of the city of Syracuse,' which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Alvord, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Congdon	Lefever	Shanley
Andrews	Cookinham	Lindsay	Sheridan

Ash	Crapsier	Low	Sherman
Baker, B. F.	Cullinan	McAvoy	Shuit
Baker, C. S.	Davis	McDonald	Sipp
Beach	Deane	McTernan	Skinner
Beates	Douglass	Miller	Slingerland
Benedict, E. D.	Duell	Mitchell	Steele
Benedict, T. E.	Duguid	Morgan	Tallmadge
Bradley	Ellis	Nowlan	Terpeny
Brennan	Evans	O'Connor	Thilemann
Bridges	Fish	Parker	Titus
Brodsky	Gorsline	Phillips	Travis
Bullock	Gray	Pitcher	Tully
Carpenter, I. S.	Gwinup	Potter	Tuthill, H. H.
Case	Havens	Potts	Tuttle, R. M.
Catlin	Hayes	Roberts	Van Valkenburgh
Chase	Hoffman	Root	Varnum
Chickering	Howland	Russell	Waterbury
Childs	Hurd	Sanders	Wells, J. L.
Clowes	Husted	Seeley	Wren
Comstock	Kennedy		

Those who voted in the negative, were  
Cushing

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

A message from the Senate was received and read informing of concurrence in the passage of the bills entitled as follows :

"An act to divide the third and seventh wards of the city of Utica, and to create the eleventh and twelfth wards therein."

"An act to amend chapter 479 of the Laws of 1867, entitled 'An act to amend the charter of the village of Dunkirk.'"

*Ordered*, That the Clerk deliver said bills to the Governor.

On motion of Mr. Benedict, and at 1 o'clock and 55 minutes the House adjourned.

## FRIDAY MORNING, FEBRUARY 20, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Getz.

The journal of yesterday was read and approved.

Mr. Mooers introduced a bill entitled "An act in relation to the auditing of expenses for the support of the county poor and the purchase of supplies in the county of Clinton," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Tallmadge introduced a bill entitled "An act to regulate the number and per diem allowance of the officers attached to the several courts in the county of Kings whose compensation is a county charge," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Mitchell (by request) introduced a bill entitled "An act to divide the seventh judicial district of the city of New York, and to

create a new judicial district therefrom," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. O'Connor introduced a bill entitled "An act for the relief of Isaac Piser," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Beach introduced a bill entitled "An act to amend section 68, chapter 5, 5th edition of the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. E. A. Carpenter introduced a bill entitled "An act in relation to the election and appointment of town officers and providing means for the raising of moneys for current expenses of the town of Brookhaven, Suffolk county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Travis introduced a bill entitled "An act in relation to the superintendents of the poor of the county of Westchester and the keeper of the county house in said county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Catlin introduced a bill entitled "An act to repay to the village of Port Chester, certain moneys expended for the construction of a bridge," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Tozier introduced a bill entitled "An act regulating the payment of school moneys apportioned to the several counties of the State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. Terry (introductory No. 454), entitled "An act to collect and preserve the waters in the upper Hudson river and its tributaries, and utilize the same for purposes of canal and river navigation in seasons of low water and drouth," reported the bill to the House to be printed and referred back to the committee without retaining its place on general orders.

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. C. S. Baker (introductory No. 533), entitled "An act to authorize and empower the State Board of Audit to adjust and settle certain difference existing between the State and the county of Monroe," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Alvord, from the committee on ways and means, to which was referred the Senate bill (introductory No. 191), entitled "An act to provide for the appointment of two additional trustees of the Binghamton Asylum for the Chronic Insane, and to make an appropriation for such asylum," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was

referred the bill introduced by Mr. Brennan (introductory No. 554), entitled "An act to incorporate the Chateaugay Water Works Company," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Cullinan (introductory No. 377), entitled "An act to repeal section 2 of chapter 169, Laws of 1879, authorizing and directing Oswego county clerk to sign certain records," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Alvord (introductory No. 333), entitled "An act to confirm the title to real estate now held or hereafter acquired by resident aliens," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Deane (introductory No. 3), entitled "An act to provide additional facilities for the sale of garden produce by farmers or market-gardeners," reported said bill for the consideration of the House with amendments, and with the title amended so as to read as follows: "An act to provide for a public stand or market place for farmers and market-gardeners in the city of New York, and to regulate the same," which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum moved that said bill be recommitted to the committee on affairs of cities, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Varnum (introductory No. 550), entitled "An act to provide for the cleaning of streets and removal of garbage and ashes in the city of New York," reported said bill for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum moved to recommit said bill to the committee on affairs of cities, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 96), entitled "An act in relation to payment of assessments for local improvements in the city of New York," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Sipp (introductory No. 526), entitled "An act to amend chapter 461 of the Laws of 1867, entitled 'An act for the support and relief of the poor and for the government of the poor department in the county of Erie,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Clowes (introductory No. 445),

entitled "An act to change the present number of overseers of the poor of the town of Hempstead, Queens county, from three to one," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Travis (introductory No. 520), entitled "An act to amend chapter 476 of the Laws of 1869, entitled 'An act to establish the office of receiver of taxes in the town of New Rochelle in the county of Westchester,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sherman, from the committee on public education, to which was referred the bill introduced by Mr. Low (introductory No. 527), entitled "An act to provide for the dissolution of union free school districts in certain cases," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sherman, from the committee on public education, to which was referred the bill introduced by Mr. Brennan (introductory No. 512), entitled "An act to amend an act entitled 'An act to establish a board of education in and for the village school district of the town of Malone, in the county of Franklin, and for other purposes, being chapter 7 of the Laws of 1867,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Messrs. D. A. Wells and Rhodes presented petitions in favor of separate institutions for the detention and reformation of convicted women; which was read and referred to the committee on State prisons.

Mr. Grosse presented petitions in favor of the bill to improve the public health of the city of New York and the city of Brooklyn, by regulating the manufacture of cigars in tenement houses; which was read and referred to the committee of the whole.

Mr. Mitchell presented petitions from medical colleges within this State against the bill to prohibit vivisection; which was read and referred to the committee on the judiciary.

Mr. Fiske offered for the consideration of the House a resolution in the words following:

*Resolved*, That bill No. 199, entitled "An act to enable the trustees of villages in the county of Richmond to contract for a supply of water to such villages for fire and other purposes, and to raise and expend money therefor," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Varnum called for the consideration of the resolution heretofore offered by him as follows:

*Resolved* (if the Senate concur), That when the Legislature adjourns on Friday next it be until Tuesday morning, February 24, at 11 o'clock, A. M.

Mr. Varnum moved to amend said resolution by striking out the words "on Friday next" and inserting the words "*this day*."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.



Mr. Alvord moved to further amend by striking out "*Tuesday morning, February 24, at 11 o'clock, A. M.*" and inserting "*Monday evening, at 8 o'clock, P. M.*"

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Tozier moved to amend by striking out "*Tuesday morning, February 24,*" and inserting "*Thursday morning, February 26.*"

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Varnum moved to amend the resolution so as to read as follows:  
*Resolved*, That when the House adjourns to-day, it adjourns to meet on Monday evening at 8 o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Husted offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor requesting the return of Assembly bill No. 98, entitled "An act in relation to the publication of concurrent resolutions of the Senate and Assembly," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Bridges, from the committee on public printing, to which was referred the resolution to print extra copies of the annual report of the Central New York Institution for Deaf Mutes, reported in favor of the adoption of the following resolution:

*Resolved* (if the Senate concur), That 1,000 copies of the annual report of the Central New York Institution for Deaf Mutes, at Rome, N. Y., for the year 1879, be printed for the use of said institution.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Bridges, from the committee on public printing, to which was referred the resolution to print extra copies of the annual report of the State Homœopathic Asylum for the Insane, reported in favor of the adoption of the following resolution:

*Resolved* (if the Senate concur), That 1,200 copies of the Ninth Annual Report of the State Homœopathic Asylum for the Insane be printed for the use of that institution.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Benedict offered for the consideration of the House a resolution in the words following:

*Resolved*, That bill No. 203, entitled "An act to further amend an act entitled 'An act conferring additional corporate powers upon the village of Ellenville, passed May 5, 1868, and amended by chapter 37 of the Laws of 1873,'" be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said

resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Pursuant to previous notice, Mr. Skinner moved to suspend the 37th, 40th, 42d, and 43d Rules of the House, in order that the bill entitled "An act to fix the salary of the Superintendent of the Insurance Department," may be ordered to and have its third reading without previous reference.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

Said bill having been announced for a third reading, Mr. Skinner moved to recommit the same to the committee on insurance, with instructions to amend as follows, and repeal the same forthwith:

Insert as section 2 the following:

Sec. 2. All acts or part of acts inconsistent with this act are hereby repealed.

Change section 2 to section 3.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Steele, from the committee on insurance, reported back said bill, amended pursuant to instructions.

Said bill, as amended, was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 3 }

Those who voted in the affirmative, were

Alvord	Cullinan	Lefever	Sheridan
Andrews	Curtis	Lindsay	Sherman
Ash	Cushing	Low	Sipp
Beach	Davis	McAvoy	Sisson
Benedict, E. D.	Deane	McCarthy	Skinner
Benedict, T. E.	Douglass	McTernan	Steele
Bennett	Duell	Mead	Strait
Bradley	Duguid	Miller	Tallmadge
Brennan	Ellis	Mitchell	Terpeny
Bridges	Ferris	Mooers	Terry
Brodsky	Fish	Nowlan	Thilemann
Carpenter, E. A.	Gibbs	O'Connor	Tozier
Carpenter, I. S.	Gorsline	Parker	Travis
Case	Gray	Phillips	Treanor
Catlin	Griggs	Potter	Tully
Childs	Grosse	Potts	Tuttle, R. M.
Clancy	Gwinup	Rhodes	Walsh
Clowes	Havens	Root	Warner
Cookinham	Husted	Seeley	Wells, D. A.
Costello	Ingersoll	Shanley	Wells, J. L.
Crapser	Kennedy		

Those who voted in the negative, were

Fiske	Hagan	Hynes
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*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Gwinup moved that the committee on grievances be discharged from the further consideration of the resolution offered by him in relation to an election of President for a third time.

Mr. Alvord moved to lay said motion upon the table.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Alvord, and it was determined in the affirmative.

{ AYES 53 }  
{ NOES 36 }

Those who voted in the affirmative, were

Alvord	Curtis	Ingersoll	Root
Andrews	Davis	Kennedy	Seeley
Ash	Deane	Lefever	Sherman
Beach	Douglass	Lindsay	Slingerland
Bradley	Duguid	Low	Steele
Brennan	Ferris	Miller	Tallmadge
Bridges	Fish	Mitchell	Terry
Brodsky	Fiske	Mooers	Travis
Bullock	Gillette	Nowlan	Varnum
Carpenter, E. A.	Gorsline	Phillips	Warner
Carpenter, I. S.	Gray	Pitcher	Wells, D. A.
Cookinham	Griggs	Potter	Wells, J. L.
Crapser	Husted	Potts	Mr. Speaker
Cullinan			

Those who voted in the negative, were

Benedict, E. D.	Ellis	McDonald	Sipp
Benedict, T. E.	Gibbs	McTernan	Skinner
Bennett	Grosse	Mead	Terpeny
Catlin	Gwinup	Newman	Thilemann
Clancy	Hagan	O'Connor	Tozier
Costello	Havens	Parker	Treanor
Cushing	Hynes	Rhodes	Tully
Dougherty	McAvoy	Shanley	Walsh
Duell	McCarthy	Sheridan	Wiley

Mr. Childs offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor, requesting the return of bill introductory 469, entitled "An act to authorize towns in Cortland county to sell railroad stock," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Messrs. Howland and Varnum stated that they were absent when the vote was taken upon the final passage of the bill entitled "An act to fix the salary of the Superintendent of the Insurance Department," but if they had been present would have voted in the affirmative.

The Senate sent for concurrence the bills entitled as follows:

"An act to legalize certain proceedings of the common council of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to legalize and confirm the official acts of Jonathan O. Spink, of the town of Orangeville, Wyoming county, as justice of the

peace," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 777 of the Laws of 1870, entitled 'An act to incorporate the village of Walden, in the county of Orange,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Alvord, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 7 }

Those who voted in the affirmative, were

Alvord	Davis	Low	Skinner
Andrews	Deane	McAvoy	Slingerland
Ash	Dougherty	McCarthy	Steele
Baker, B. F.	Duell	McDonald	Strait
Beach	Duguid	McTernan	Tallmadge
Benedict, E. D.	Ferris	Mead	Terpeny
Benedict, T. E.	Fish	Mitchell	Terry
Bennett	Fiske	Mooers	Thilemann
Brennan	Gibbs	Newman	Tozier
Bridges	Gorsline	Nowlan	Travis
Brodsky	Gray	O'Connor	Tully
Carpenter, E. A.	Griggs	Parker	Tuthill, H. H.
Carpenter, I. S.	Grosse	Pitcher	Tuttle, R. M.
Catlin	Howland	Potter	Varnum
Clancy	Husted	Potts	Warner
Clowes	Hynes	Root	Wells, D. A.
Comstock	Ingersoll	Shanley	Wells, J. L.
Costello	Kennedy	Sheridan	Wiley
Cullinan	Lefever	Sherman	Mr. Speaker
Curtis	Lindsay	Sipp	

Those who voted in the negative, were

Bradley	Ellis	Havens	Walsh
Craeer	Gwinup	Treanor	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence the bill entitled as follows:

"An act further to amend chapter 147 of the Laws of 1876, entitled 'An act granting to the United States the right to acquire the right of way necessary for the improvement of the Harlem river and Spuyten Duyvil creek from the North river to the East river, through the Harlem Kills and ceding jurisdiction on the same,' as amended by chapter 345 of the Laws 1879," which was read the first time, and by unanimous consent was also read the second time.

Mr. J. L. Wells offered for the consideration of the House a resolution in the words following:

*Resolved*, That Senate bill No. 10, entitled "An act further to amend chapter 147 of the Laws of 1876, entitled 'An act granting to the United States the right to acquire the right of way necessary for

the improvement of the Harlem river and Spuyten Duyvil creek from the North river to the East river, through the Harlem Kills and ceding jurisdiction on the same,' as amended by chapter 345 of the Laws of 1879," be substituted for Assembly bill No. 4, G. O. No. 3, now in general orders.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

A message from the Senate was received and read, informing of non-concurrence in the passage of the bill entitled as follows:

"An act to exempt the county of Cortland from the provisions and operation of chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties.'"

Mr. Alvord moved to lay said bill on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate sent for concurrence the following resolutions:

*Resolved* (if the Assembly concur), That 500 copies of the Thirteenth Annual Report of the New York Institution for the Improved Instruction of Deaf Mutes be printed for the use of the institution.

*Ordered*, That said resolution be referred to the committee on public printing.

*Resolved* (if the Assembly concur), That 500 copies of the annual report of the Elmira Reformatory, for the year 1878, be printed for the use of such reformatory, and bound in paper covers.

*Ordered*. That said resolution be referred to the committee on public printing.

The Senate sent for concurrence the bill entitled as follows:

"An act to authorize the exchange of preferred stock for common stock of corporations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

The Senate sent for concurrence the following resolution:

*Resolved* (if the Assembly concur), That when the Legislature adjourns it be to meet on Tuesday morning, February 24, at 11 A. M.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

A message from the Senate was received and read, informing of concurrence in the passage of the resolutions relative to printing the report of the Trustees of the New York Asylum for Idiots; also a concurrent resolution for the printing of the report of the Superintendent of the Onondaga Salt Springs.

A message from the Senate was received and read, informing of concurrence in the passage of the following resolutions calling from the Governor the following entitled bills:

"An act to authorize the towns in Cortland county to sell railroad stock," for amendment.

"An act in relation to the publication of concurrent resolutions of the Senate and Assembly," for amendment.

*Ordered*, That the Clerk deliver said resolutions to the Governor.

A message from the Senate was received and read informing of concurrence in the passage of the bills entitled as follows:

"An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public education.'"

"An act to amend chapter 686 of the Laws of 1872, entitled 'An act to amend an act entitled 'An act to erect the village of Middleburg into a separate road district and the several acts amendatory thereof.'"

"An act to amend chapter 126 of the Laws of 1873, entitled 'An act to organize a board of school commissioners in and for the city of Troy, and the several acts amendatory thereof.'"

*Ordered*, That the Clerk deliver said bills to the Governor.

A message from the Senate was received and read, informing of concurrence in the amendments of the Assembly to the bill entitled as follows:

"An act to amend chapter 259 of the Laws of 1879, entitled 'An act to amend chapter 22 of the Laws of 1858, entitled 'An act to enable the electors of the town of Watervliet to vote by districts for the election of town officers.'"

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendment.

The Senate returned the bill entitled "An act authorizing the board of supervisors of the county of Kings to purchase land for the purposes of the National Guard.

*Ordered*, That the Clerk deliver said bill to the Governor.

Mr. Husted moved to reconsider the vote upon the resolution of Mr. Varnum, that when the House adjourn to day it be until Monday evening at 8 o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Varnum, and it was determined in the negative.

Leave of absence was granted to Mr. C. S. Baker until Wednesday morning, and Mr. Tozier until Thursday morning.

On motion of Mr. Terry, and at 12 o'clock and 45 minutes, the House adjourned until Tuesday morning at 11 o'clock.

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## TUESDAY MORNING, FEBRUARY 24, 1880.

The House met pursuant to adjournment.

No clergyman present.

The journal of Friday, February 20, was read and approved.

The Senate sent for concurrence the bill entitled as follows:

"An act to amend chapter 497 of the Laws of 1874, entitled 'An act to amend the charter of the city of Poughkeepsie and to consolidate with it other acts relating to said city,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

A message was received from the Senate and read, informing of concurrence in the passage of the following bill:

"An act to amend an act entitled 'An act to incorporate the city

of Troy,' passed April 12, 1816, and the several acts amendatory thereof and supplementary thereto."

*Ordered*, That the Clerk deliver said bill to the Governor.

Leave of absence was granted to Mr. Slingerland until Friday, to Mr. Warner until Friday, and Mr. Youngs indefinitely.

Mr. Speaker presented a communication from the Clerk of the Board of Education of the city of New York, in reply to a resolution of the Assembly; which was laid upon the table and ordered printed.

Mr. Comstock offered for the consideration of the House a resolution in the words following;

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor requesting the return of Assembly bill No. 168, general orders No. 207, entitled "An act to amend chapter 126 of the Laws of 1873, entitled 'An act to organize a board of school commissioners in and for the city of Troy,' passed March 25, 1873, and the several acts amendatory thereof," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Bradley offered for the consideration of the House a resolution in the words following:

*Resolved*, That when this House adjourns to-day, it will adjourn to meet on Thursday, at 8 P. M.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

{ AYES 80 }  
{ NOES 24 }

Those who voted in the affirmative, were

Ash	Duguid	Morgan	Slingerland
Baker, B. F.	Ferris	Peck	Tallmadge
Beach	Gillette	Phillips	Titus
Bradley	Gorsline	Pitcher	Travis
Brodsky	Griggs	Potter	Warner
Bullock	Groose	Potts	Waterbury
Carpenter, E. A.	Hagan	Roberts	Wells, D. A.
Chamberlain	Hurd	Russell	Wells, J. L.
Clowes	Ingersoll	Sanders	Weston
Crapser	Lindsay	Sheridan	Wren
Oullinan	McCabe	Sipp	Mr. Speaker
Deane	Mooers		

Those who voted in the negative, were.

Alvord	Childs	Hoffman	Shanley
Beates	Cohen	Kennedy	Sherman
Benedict, E. D.	Comstock	Lefever	Skinner
Benedict, T. E.	Cushing	Low	Terpeny
Brennan	Ellis	Miller	Terry
Bridges	Evans	Mitchell	Tully
Case	Fiske	Newman	Tuthill, H. H.
Catlin	Gwinup	Rhodes	Tuttle, R. M.
Chase	Havens	Root	Walsh
Chickering			

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Brennan (introductory No. 532), entitled "An act to amend an act entitled 'An act for the relief of stockholders of corporations whose certificates of stock have been lost

or, destroyed, passed March 27, 1873" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry moved to recommit the bill entitled "An act to incorporate the Chateaugay Water Works Company," to the committee on the judiciary.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Hoffman introduced a bill entitled "An act to amend an act entitled 'An act to amend the charter of the village of Horseheads, Chemung county,' passed April 14, 1855, and the several acts amendatory thereof, by annexing the following sections," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Beates introduced a bill entitled "An act to amend an act authorizing the formation of town insurance companies," passed April 17, 1857," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Hurd introduced a bill entitled "An act to amend sections 17 and 18, article 2, title 9, chapter 9, part 1 of the Revised Statutes in relation to canals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Hurd introduced a bill entitled "An act to amend an act entitled 'An act to regulate the use of certain slips, piers and wharves on the East river in the city of New York,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Sipp introduced a bill entitled "An act to amend chapter 77 of the Laws of 1846, entitled 'An act to provide for the erection and establishment of a work-house in the county of Erie,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Brennan introduced a bill entitled "An act to authorize the Comptroller to admit the unpaid taxes of the year 1879 assessed upon lands in the several counties of this State which were bid in by the State at the tax sale of 1877, and to which the State acquired title from said tax sale," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Sheridan introduced a bill entitled "An act to prevent interference with owners and captains of steamers engaged in the towing business," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Warner introduced a bill entitled "An act to regulate the tare on baled hay and straw," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

Mr. Warner introduced a bill entitled "An act to amend sections 6 and 12 of chapter 287 of the Laws of 1879, entitled 'An act to provide for the formation of county and town co-operative insurance companies,'" which was read the first time, and by unanimous consent



was also read the second time, and referred to the committee on insurance.

Mr. Waterbury introduced a bill entitled "An act to amend chapter 231 of the Laws of 1870, entitled 'An act for the incorporation of villages,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Fiske introduced a bill entitled "An act to regulate the taking of clams and oysters in the waters of the State of New York on the south side of Staten Island," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Chamberlain introduced a bill entitled "An act to authorize the town of Madrid, in the county of St. Lawrence, to borrow money for the completion of the water-works in the village of Madrid and for other purposes," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Titus introduced a bill entitled "An act to transfer to Cornell University the securities, moneys and contracts constituting and relating to the Cornell Endowment Fund," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Speaker introduced a bill entitled "An act granting the consent of the State of New York, to the purchase of the United States of certain lands, pond and rights for the purpose of increasing the water supply of West Point, New York, and ceding jurisdiction over said lands and pond," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on federal relations.

Mr. Terry introduced a bill entitled "An act to provide for the revival and continuance of certain suits or actions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Gwinup introduced a bill entitled "An act for the protection of laborers and persons furnishing materials and supplies in procuring logs and timber from the woodlands and forests of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Terry offered for the consideration of the House a resolution in the words following:

*Whereas*, The House, on the 4th inst., passed a resolution instructing the judiciary committee to prepare and present to the House within twenty days from that date a general registry bill; and

*Whereas*, The committee has not yet completed the bill;

*Resolved*, That the time within which the judiciary committee shall present the said bill is hereby extended twenty days.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Tuttle, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows:

"An act making appropriations for the support of government."

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to enable the trustees of villages in the county of Richmond to contract for a supply of water to such villages for fire and other public purposes, and to raise and expend money therefor."

"An act to further amend an act entitled 'An act conferring additional corporate powers upon the village of Ellenville,' passed May 5, 1868, and amended by chapter 37 of the Laws of 1873."

"An act entitled 'An act to authorize the town of Flushing, in Queens county, to borrow money and issue bonds therefor, for the purpose of paying the indebtedness of said town.'"

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Weston, from said committee, reported in favor of the passage of the first named bill, which report was agreed to and the same ordered engrossed for a third reading.

Mr. Weston, from said committee, also reported in favor of the passage of the second named bill, with amendments; which report was agreed to and the same ordered engrossed for a third reading.

Mr. Weston, from said committee, also reported progress on the last named bill, and asked and obtained leave to sit again.

The Senate sent for concurrence the bill entitled as follows:

"An act to amend chapter 449 of the Laws of 1853 entitled 'An act to amend the act incorporating the village of Attica,' passed May 2, 1837, to alter the bounds and to enlarge the powers of the corporation of said village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Bradley moved to reconsider the vote by which the House agreed to adjourn from to-day until Thursday evening at 8 o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The question being upon the adoption of the original resolution,

Mr. Benedict moved to amend that when the House adjourn to-day it be until this evening at 7 o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Bradley moved to amend the resolution so as to read as follows:

*Resolved*, That when the House adjourns to-day it be to meet on Thursday morning at 11 o'clock.

Mr. Speaker then put the question whether the House would agree to said resolution and it was determined in the affirmative.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend chapter 351 of the Laws of 1874, entitled 'An act to amend chapter 312 of the Laws of 1859, entitled 'An act to equalize the State tax among the several counties in the State, and to amend chapter 327 of the Laws of 1873, amendatory thereof.'"

Senate, "An act to amend the law of evidence and practice on civil and criminal trials."

"An act further to amend chapter 147 of the Laws of 1876, entitled 'An act granting to the United States the right to acquire the right of way necessary for the improvement of the Harlem river and Spuyten Duyvil creek from the North river to the East river, through the Harlem Kills, and ceding jurisdiction over the same, as amended by chapter 345 of the Laws of 1879.'"

And after some time spent therein, Mr. Speaker resumed the chair,

and Mr. Duguid, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Duguid, from said committee, also reported in favor of the passage of the second named bill, which report was agreed to, and the same ordered to a third reading.

Mr. Duguid; from said committee, also reported progress on the last named bill, and asked and obtained leave to sit again.

Mr. J. L. Wells offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee of the whole be discharged from the further consideration of Senate bill No. 10, entitled "An act further to amend chapter 147 of the Laws of 1876, entitled 'An act granting to the United States the right to acquire the right of way necessary for the improvement of the Harlem river and Spuyten Duyvil creek from the North river to the East river through the Harlem Kills, and ceding jurisdiction over the same, as amended by chapter 345 of the Laws of 1879,'" and that the same be ordered to a third reading.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Roberts introduced a bill entitled "An act to amend an act entitled 'An act to revise the charter of the city of Buffalo, passed April 28, 1870,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Sanders, from the committee on affairs of villages, to which was referred the Senate bill (introductory No. 58), entitled "An act to amend chapter 449 of the Laws of 1853, entitled 'An act to amend the act incorporating the village of Attica, passed May 2, 1837, to alter the bounds and to enlarge the powers of the corporation of said village,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Hurd, from the committee on canals, to which was referred the bill introduced by Mr. Hurd (introductory No. 578), entitled "An act to amend the Revised Statutes in relation to canals," reported in favor of the passage of the same with amendments, title amended as follows: "An act to amend sections 17 and 18, article 2, title 9, chapter 9, part 1 of the Revised Statutes," in relation to canals, which report was agreed to and said bill committed to the committee of the whole.

Mr. Mitchell offered for the consideration of the House a resolution in the words following:

*Resolved*, That bill No. 179, entitled "An act to amend section 236 of the Code of Civil Procedure," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The Senate returned Assembly resolution:

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor requesting the return of Assembly bill No. 168, general orders No. 207, entitled "An act to amend chapter 126 of the Laws of 1873, entitled 'An act to organize a board of school commissioners in and for the city of Troy, passed March 25, 1873, and the several

acts amendatory thereof," with a message that they have concurred in the same, for amendment.

*Ordered;* That the Clerk deliver said resolution to the Governor.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend section 2 of chapter 917 of the Laws of 1869, entitled 'An act authorizing the consolidation of certain railroad companies.'"

"An act to regulate voting by stock and bondholders of railroad corporations."

"An act to amend section 236 of the Code of Civil Procedure."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Ingersoll, from said committee, reported in favor of the passage of the first and second named bills, with amendments, which report was agreed to and the same ordered engrossed for a third reading.

Mr. Ingersoll, from said committee, also reported in favor of the passage of the last named bill, which report was agreed to and the same ordered engrossed for a third reading.

Mr. Travis offered for the consideration of the House a resolution in the words following:

*Resolved.* That Assembly bill No. 9, general orders No. 148, entitled "An act to legalize the acts of certain town officers of the town of New Rochelle, and to authorize the issue of bonds by said town," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Brennan introduced a bill entitled "An act conferring additional powers upon the board of supervisors of the county of Franklin," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. J. L. Wells presented a petition of residents of the 24th Assembly district in favor of the reduction of fare on the Harlem and New York Central railroads, which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

On motion of Mr. Travis, and at 1 o'clock and 45 minutes the House adjourned until Thursday morning at 11 o'clock.

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## THURSDAY MORNING, FEBRUARY 26, 1880.

The House met pursuant to adjournment.

Prayer by Rev. H. Trumpp.

The journal of Tuesday was read and approved.

The privileges of the floor were granted to Hon. E. Wheeler, Hon. Mr. Baker of Putnam, Hon. James A. Seward, Hon. A. M. Suydam, Hon. J. H. Tucker, Hon. Mr. Crafts, former members of this House.

Mr. Tutbill introduced a bill entitled "An act to extend the time for the collection of county taxes in the city of Auburn," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Tuthill, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 4 }

Those who voted in the affirmative, were

Alvord	Curtis	Low	Shuit
Baker, C. S.	Cushing	McCabe	Sipp
Beach	Davis	Mead	Sisson
Beates	Deane	Miller	Skinner
Benedict, E. D.	Douglass	Mitchell	Slingerland
Benedict, T. E.	Ellis	Mooers	Steele
Brennan	Evans	Morgan	Tallmadge
Brodsky	Ferris	Newman	Terpeny
Bullock	Fish	Nowlan	Titus
Carpenter, I. S.	Fitzgerald	Parker	Travis
Case	Gorsline	Peck	Tully
Catlin	Gray	Phillips	Tuthill, H. H.
Chamberlain	Griggs	Potter	Warner
Chase	Grosse	Potts	Waterbury
Childs	Gwinup	Rhodes	Wells, D. A.
Clancy	Hoffman	Roberts	Wells, J. L.
Clowes	Howland	Root	Weston
Comstock	Hynes	Seeley	Wiley
Congdon	Ingersoll	Shanley	Wren
Crapser	Kennedy	Sheridan	Mr. Speaker
Cullinan	Lefever	Sherman	

Those who voted in the negative, were

Bradley	Cookinham	Fiske	Havens
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*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

When the name of Mr. Bradley was called he asked to be and was not excused from voting.

Mr. Curtis introduced a bill entitled "An act to amend section 118, article 8, chapter 2, title 4, part 3 of the Revised Statutes, in relation to duties of justices of the peace in actions commenced before them in which they are shown to be material witnesses," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Parker introduced a bill entitled "An act to amend an act to incorporate the village of Coxsackie, passed April 5, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Skinner introduced a bill entitled "An act to amend section 435 of the Code of Civil Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill entitled "An act establishing an Agricultural Experimental Station," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Tallmadge (by request) introduced a bill entitled "An act in relation to certain unpaid taxes and assessments in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill entitled "An act to provide for the collection of arrearages of unpaid taxes and assessments in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Chickering introduced a bill entitled "An act relating to the title to personal property," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Kennedy introduced a bill entitled "An act to amend section 37, chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,' passed June 20, 1879," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

Mr. C. S. Baker introduced a bill entitled "An act to amend chapter 144 of the Laws of 1863, entitled 'An act to amend an act entitled 'An act allowing the continued use of copartnership names in certain cases,' passed April 17, 1854,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. J. L. Wells introduced a bill entitled "An act to provide for the adjustment and settlement of claims of interest on payments made by the mayor, aldermen and commonalty of the city of New York, on certain contracts for works of local improvement in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Mitchell introduced a bill entitled "An act to amend an act entitled 'An act to incorporate the New York Cotton Exchange,' passed April 8, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Alvord introduced a bill entitled "An act to allow the continuance of corporations organized under general laws," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill entitled "An act supplementary to act chapter 374 of the Laws of 1878, entitled 'An act to amend chapter 200 of the Laws of 1874, entitled 'An act to authorize the appraisal and sale of leased fine salt lots, on the Onondaga Salt Springs reservation, by the Commissioners of the Land Office, and to authorize the sale of certain coarse salt lands, the removal of vats therefrom, and the purchase of other lands in lieu thereof,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Case introduced a bill entitled "An act to legalize the official acts and proceedings of Richmond S. Hayes, a justice of the peace of the town of East Bloomfield, in the county of Ontario," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Case, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 78 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alford	Cushing	Low	Sisson
Baker, C. S.	Deane	McCabe	Skinner
Beach	Douglass	Miller	Slingerland
Beates	Duguid	Mitchell	Tallmadge
Benedict, T. E.	Ellis	Mooers	Terry
Brennan	Evans	Morgan	Titus
Brodsky	Ferris	Nowlan	Tozier
Bullock	Fiske	Parker	Travis
Carpenter, E. A.	Gillette	Pitcher	Tully
Case	Gorsline	Potter	Tuthill, H. H.
Catlin	Gray	Potts	Tuttle, R. M.
Chamberlain	Griggs	Rhodes	Warner
Chase	Grosse	Root	Waterbury
Chickering	Gwinup	Sanders	Wells, D. A.
Childs	Havens	Seeley	Wells, J. L.
Clowes	Hoffman	Shanley	Weston
Comstock	Howland	Sheridan	Wiley
Cookinham	Hynes	Shuit	Wren
Crapser	Ingersoll	Sipp	Mr. Speaker
Cullinan	Kennedy		

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Comstock introduced a bill entitled "An act in relation to the Cohoes and Lansingburgh Bridge Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Chamberlain introduced a bill entitled "An act to organize a fire department in the village of Madrid, St. Lawrence county, New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. E. A. Carpenter (by request) introduced a bill entitled "An act to authorize Henry Fordham and George W. Tuttle to establish, maintain and operate a ferry across the Great South bay in Suffolk county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Potts introduced a bill entitled "An act to prohibit persons engaged in the business of manufacturing and selling strong and spirituous liquors, wines, ale and beer from holding the office of coroner," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill entitled "An act to amend section 1275 of the Code of Civil Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. T. B. Benedict introduced a bill entitled "An act in relation to the valuation of the property of the president, manager and company of the Delaware and Hudson Canal Company in school districts, for the purposes of taxation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Cullinan introduced a bill entitled "An act to authorize the sale of subdivision No. 15 of block No. 27, in the third ward, and a part of subdivision 18 of block No. 148, in the sixth ward of the city of Oswego," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend chapter 615 of the Laws of 1868, entitled 'An act conferring additional corporate powers upon the village of Ellen-ville.'"

"An act to amend chapter 351 of the Laws of 1874, entitled 'An act to amend chapter 312 of the Laws of 1859, entitled 'An act to equalize the State tax among the several counties in the State, and to amend chapter 327 of the Laws of 1873, amendatory thereof.'"

"An act to amend section 236 of the Code of Civil Procedure."

"An act to regulate voting by stock and bondholders of railroad corporations."

Pursuant to ninth joint rule, Mr. Speaker announced the order of business, third reading of bills.

The Senate bill entitled "An act to authorize the common council of the city of Poughkeepsie to construct a building for recorder's court room, police head-quarters, lock-up and city offices, and to provide means for the payment therefor," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 94 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Ingersoll	Sheridan
Baker, C. S.	Cullinan	Kennedy	Sherman
Beach	Curtis	Lefever	Shuit
Beates	Cushing	Low	Sipp
Benedict, E. D.	Davis	McCabe	Skinner
Benedict, T. E.	Deane	Mead	Slingerland
Bennett	Douglass	Miller	Steele
Bradley	Duguid	Mitchell	Tallmadge
Brennan	Ellis	Moore	Terpeny
Brodsky	Evans	Morgan	Titus
Bullock	Ferris	Nowlan	Tozier
Carpenter, E. A.	Fish	Parker	Travis
Carpenter, I. S.	Fitzgerald	Peck	Tully
Case	Gillette	Phillips	Tuthill, H. H.
Catin	Gorsline	Pitcher	Tuttle, R. M.
Chamberlain	Gray	Potter	Van Valkenburgh
Chase	Griggs	Potts	Waterbury
Chickering	Grosbe	Rhodes	Wells, D. A.



Childs	Gwinup	Roberts	Wells, J. L.
Clancy	Havens	Root	Weston
Clowes	Hoffman	Sanders	Wiley
Comstock	Howland	Seeley	Wren
Congdon	Hurd	Shanley	Mr. Speaker
Cookinham	Hynes		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act for the better security of mechanics, laborers and others who perform labor or furnish materials for buildings and other improvements on land in the city of Buffalo," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative.

{ AYES 77 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Havens	Root
Baker, C. S.	Cookinham	Hoffman	Seeley
Beach	Crapsier	Howland	Shanley
Beates	Cullinan	Hayes	Sheridan
Benedict, E. D.	Curtis	Ingersoll	Sipp
Benedict, T. E.	Cushing	Lefever	Slingerland
Bennett	Davis	Low	Steele
Bradley	Douglass	McCabe	Terpeny
Brennan	Duguid	McCarthy	Titus
Brodaky	Ellis	Miller	Travis
Bullock	Evans	Mitchell	Tully
Carpenter, E. A.	Fish	Mooers	Tuthill, H. H.
Carpenter, I. S.	Fitzgerald	Morgan	Tuttle, R. M.
Case	Gillette	Nowlan	Van Valkenburgh
Catlin	Goraline	Parker	Waterbury
Chase	Gray	Peck	Wells, D. A.
Chickering	Griggs	Phillips	Wells, J. L.
Childs	Grosse	Potts	Wiley
Clowes	Gwinup	Roberts	Mr. Speaker
Comstock			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 615 of the Laws of 1868, entitled 'An act conferring additional powers upon the village of Ellenville,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	Hynes	Sheridan
Baker, C. S.	Davis	Ingersoll	Sherman
Beach	Deane	Lefever	Shuit
Beates	Douglass	Lindsay	Sisson
Benedict, T. E.	Duguid	Low	Skinner

Bradley	Ellis	McCabe	Slingerland
Brodaky	Evans	McCarthy	Steele
Bullock	Ferris	Miller	Tallmadge
Case	Fitzgerald	Mooers	Terpeny
Catlin	Gillette	Morgan	Terry
Chase	Gorsline	Nowlan	Tozier
Chickering	Gray	Parker	Travis
Clowes	Griggs	Peck	Tully
Cohen	Grosse	Pitcher	Tuttle, R. M.
Comstock	Gwinup	Potts	Van Valkenburgh
Congdon	Havens	Rhodes	Waterbury
Cookinham	Hoffman	Roberts	Wells, D. A.
Crapsier	Howland	Root	Wells, J. L.
Cullinan	Hurd	Sanders	Wiley
Curtis	Husted	Seeley	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the construction of fish-ways in the State dams across the Oswego, Oneida and Seneca rivers," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Ingersoll	Sheridan
Baker, B. F.	Crapsier	Kennedy	Sherman
Baker, C. S.	Curtis	Lefever	Shuit
Beach	Cushing	Lindsay	Sipp
Beates	Davis	Low	Sisson
Benedict, E. D.	Douglass	McCarthy	Skinner
Benedict, T. E.	Duguid	McDonald	Slingerland
Bradley	Ellis	Mead	Steele
Brodaky	Evans	Miller	Tallmadge
Bullock	Ferris	Nowlan	Terpeny
Carpenter, E. A.	Gillette	O'Brien	Titus
Catlin	Gorsline	Parker	Tozier
Chamberlain	Gray	Potter	Travis
Chase	Griggs	Potts	Van Valkenburgh
Chickering	Grosse	Rhodes	Waterbury
Childs	Havens	Roberts	Wells, D. A.
Clowes	Hoffman	Root	Wells, J. L.
Cohen	Howland	Russell	Weston
Comstock	Hurd	Sanders	Wiley
Congdon	Hynes	Shanley	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the preservation of fish in Cool brook, in the town of Wellsville, in the county of Allegany," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Hoffman	Sipp
Baker, C. S.	Crapser	Husted	Sisson
Beach	Cullinan	Hynes	Skinner
Beates	Curtis	Ingersoll	Slingerland
Benedict, E. D.	Cushing	Kennedy	Steele
Benedict, T. E.	Davis	Lindsay	Terpeny
Bradley	Deane	McCabe	Titus
Brodsky	Douglass	McCarthy	Tozier
Bullock	Duguid	Miller	Travis
Carpenter, E. A.	Ellis	Mitchell	Tully
Carpenter, I. S.	Evans	Morgan	Tuthill, H. H.
Case	Ferris	Nowlan	Van Valkenburgh
Catlin	Fitzgerald	Parker	Warner
Chamberlain	Gillette	Peck	Waterbury
Chase	Gorsline	Potter	Wells, D. A.
Chickering	Gray	Root	Wells, J. L.
Childs	Griggs	Shanley	Weston
Cohen	Grosse	Sheridan	Wiley
Comstock	Gwinup	Sherman	Mr. Speaker
Congdon	Havens	Shuit	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to authorize the Attica Water Company to purchase, hold, operate and maintain the gas works, pipes, fixtures, machinery and real estate used in connection therewith, now in the village of Attica, Wyoming county, New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Howland	Shanley
Beach	Curtis	Hynes	Sheridan
Beates	Cushing	Ingersoll	Sherman
Benedict, E. D.	Davis	Kennedy	Shuit
Bennett	Deane	Lefever	Sipp
Bradley	Douglass	Lindsay	Sisson
Brennan	Duguid	Low	Skinner
Brodsky	Ellis	McCabe	Slingerland
Bullock	Evans	Miller	Terpeny
Carpenter, E. A.	Ferris	Morgan	Terry
Carpenter, I. S.	Fish	Nowlan	Titus
Case	Fitzgerald	Parker	Travis
Catlin	Gillette	Phillips	Tully
Chamberlain	Gorsline	Pitcher	Van Valkenburgh
Chase	Gray	Potter	Warner
Clowes	Griggs	Potts	Waterbury
Cohen	Grosse	Rhodes	Wells, D. A.
Comstock	Gwinup	Root	Wells, J. L.
Congdon	Havens	Sanders	Weston
Crapser	Hoffman	Seeley	Wiley

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

A message from the Governor was received in the words following

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, February 24, 1880. }

*To the Assembly :*

In accordance with a joint resolution of the Senate and Assembly herewith is returned for amendment Assembly bill No. 168, entitled "An act to amend chapter 126 of the Laws of 1873, entitled 'An act to organize a board of school commissioners in and for the city of Troy, and the several acts amendatory thereof.'"

ALONZO B. CORNELL.

Mr. Comstock moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Ingersoll	Sheridan
Baker, C. S.	Cushing	Kennedy	Sherman
Beach	Davis	Lindsay	Shuit
Beates	Deane	Low	Sipp
Bradley	Douglass	McCabe	Sisson
Brennan	Duguid	McCarthy	Skinner
Bridges	Evans	Miller	Slingerland
Brodsky	Ferris	Mitchell	Terpeny
Bullock	Fish	Moore	Terry
Carpenter, E. A.	Fitzgerald	Morgan	Titus
Carpenter, I. S.	Gillette	Nowlan	Travis
Case	Gorsline	Parker	Tully
Chase	Gray	Peck	Tothill, H. H.
Chickering	Griggs	Phillips	Tuttle, R. M.
Childs	Groose	Potter	Van Valkenburgh
Clowes	Hoffman	Potts	Warner
Comstock	Howland	Russell	Waterbury
Congdon	Hurd	Sanders	Wells, D. A.
Cookinham	Husted	Seeley	Wiley
Crapeer	Hynes	Shanley	Wren
Cullinan			

On motion of Mr. Comstock, and by unanimous consent, said bill was amended in the words following:

Section 1, line 48, printed bill, strike out "two" and insert "one."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Ingersoll	Sisson
Baker, B. F.	Cullinan	Kennedy	Skinner
Beach	Curtis	Lefever	Slingerland
Beates	Cushing	Lindsay	Steele
Bradley	Davis	Low	Tallmadge
Brennan	Douglass	McCabe	Terpeny
Bridges	Duguid	Miller	Terry
Brodsky	Ellis	Mitchell	Titus
Bullock	Evans	Morgan	Tozier
Carpenter, E. A.	Ferris	Nowlan	Tuthill, H. H.
Carpenter, I. S.	Fish	Phillips	Tuttle, R. M.
Case	Fitzgerald	Pitcher	Van Valkenburgh
Chamberlain	Gillette	Potter	Warner
Chase	Gorsline	Potts	Waterbury
Chickering	Gray	Root	Wells, D. A.
Childs	Griggs	Russell	Wells, J. L.
Clowes	Grosse	Sanders	Weston
Comstock	Hoffman	Seeley	Wren
Congdon	Howland	Sherman	Mr. Speaker
Cookinham	Husted	Shuit	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,'" being announced for a third reading,

On motion of Mr. Husted, and by unanimous consent, said bill was amended in the word following:

Insert after the word "inches," in line 13, printed bill, "releasing therefrom all that part lying in Jefferson county, excepting Henderson bay and harbor and the River St. Lawrence, also all that part of Oswego county lying between its Jefferson county line and the westerly line of the town of Mexico, excepting within one-half mile of the outlet or mouth of Salmon river."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Ingersoll	Sheridan
Baker, B. F.	Cullinan	Kennedy	Shuit
Baker, C. S.	Davis	Lefever	Sipp
Beach	Deane	Lindsay	Skinner
Beates	Douglass	Low	Slingerland
Benedict, T. E.	Duguid	McCabe	Steele
Bennett	Ellis	Miller	Terpeny
Bradley	Evans	Mitchell	Terry
Brennan	Fish	Mooers	Titus
Bridges	Fitzgerald	Newman	Tormey
Brodsky	Gillette	Nowlan	Tozier

Bullock	Gorsline	Parker	Travis
Carpenter, I. S.	Gray	Phillips	Tuthill, H. H.
Case	Griggs	Pitcher	Tuttle, R. M.
Catlin	Grosse	Potter	Warner
Chase	Gwinup	Potts	Waterbury
Clowes	Hoffman	Rhodes	Wells, D. A.
Cohen	Howland	Root	Wells, J. L.
Comstock	Husted	Sanders	Wiley
Congdon	Hynes	Shanley	Wren

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

The Senate returned Senate bill with a message in the words following:

IN SENATE, *February* 13, 1880.

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the bill entitled "An act to amend chapter 590 of the Laws of 1865, entitled 'An act to incorporate the Porous Plaster Company of the city of New York.'"

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Robertson, and by unanimous consent, the same was amended as follows:

Add as section 3 the following:

§ 3. Section 3 of said act is hereby amended so as to read as follows:

§ 3. It shall be lawful for the trustees, in furtherance of the design of their incorporation, to make such by laws as may be deemed necessary for the government of its affairs, and to alter and amend the same at pleasure. They may also prescribe rules and regulations for the division of its property in capital shares and for the sale and transfer thereof as they may deem necessary. Any increase or decrease of the capital stock of said company shall be made under and in pursuance of the provisions of chapter 40 of the Laws of 1848, entitled "An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes, and of the several acts amendatory thereof and supplementary thereto."

Change section 3 to section 4.

Change section 4 to section 5.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 81 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Husted	Sanders
Baker, B. F.	Cookinham	Hynes	Seeley
Baker, C. F.	Cullinan	Ingersoll	Shanley
Beach	Curtis	Kennedy	Sipp
Beates	Cushing	Lefever	Sisson
Benedict, E. D.	Douglas	Lindsay	Skinner
Benedict, T. E.	Duguid	Low	Slingerland
Bennett	Ellis	McCabe	Terpeny
Bradley	Evans	McCarthy	Terry

Brennan	Ferris	Miller	Titus
Bridges	Fiske	Mooers	Tozier
Brodsky	Fitzgerald	Morgan	Travis
Bullock	Gillette	Newman	Tully
Carpenter, E. A.	Gorsline	Nowlan	Tuttle, R. M.
Carpenter, I. S.	Gray	Peck	Van Valkenburgh
Chase	Griggs	Phillips	Waterbury
Chickering	Grosse	Pitcher	Wells, D. A.
Childs	Gwinup	Potter	Wells, J. L.
Clowes	Havens	Potts	Weston
Cohen	Hoffman	Root	Wiley
Comstock			

On motion of Mr. Husted, and by unanimous consent, the Senate amendments were amended by striking out the name of "Wm. Brandreth," whenever occurring, and insert in lieu thereof the name of "Henry D. Brandreth."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 77 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Hynes	Sheridan
Baker, C. S.	Curtis	Ingersoll	Sherman
Beach	Cushing	Kennedy	Sipp
Benedict, E. D.	Davis	Lefever	Sisson
Bennett	Deane	Lindsay	Skinner
Brennan	Douglass	McCarthy	Slingerland
Bridges	Duguid	Mitchell	Tallmadge
Brodsky	Ellis	Morgan	Terpeny
Bullock	Evans	Newman	Tormey
Carpenter, E. A.	Fish	Parker	Travis
Carpenter, I. S.	Fitzgerald	Peck	Tuthill, H. H.
Case	Gillette	Phillips	Tuttle, R. M.
Catlin	Gorsline	Pitcher	Van Valkenburgh
Chamberlain	Gray	Potts	Waterbury
Chase	Griggs	Rhodes	Wells, D. A.
Chickering	Grosse	Root	Wells, J. L.
Cohen	Hoffman	Sanders	Weston
Comstock	Howland	Seeley	Wiley
Congdon	Husted	Shanley	Mr. Speaker
Cookinham			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same, as amended.

Leave of absence was granted to Mr. Andrews.

The privileges of the floor were granted to Hon. Thos. E. Blackburn.

The Senate bill entitled "An act to amend the law of evidence and practice on civil and criminal trials," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Cookinham	Ingersoll	Shuit
Baker, B. F.	Cushing	Kennedy	Sipp
Baker, C. S.	Davis	Lefever	Sisson
Beach	Deane	Lindsay	Skinner
Beates	Douglass	Low	Slingerland
Benedict, T. E.	Duguid	McCarthy	Steele
Bennett	Ellis	Miller	Terpeny
Bradley	Evans	Mitchell	Terry
Brennan	Ferris	Mooers	Titus
Bridges	Fish	Morgan	Tozier
Brodsky	Fiske	Nowlan	Tully
Bullock	Gibbs	Parker	Tuthill, H. H.
Carpenter, I. S.	Gray	Peck	Tuttle, R. M.
Case	Griggs	Potts	Warner
Chase	Gwinup	Sanders	Waterbury
Chickering	Havens	Seeley	Wells, D. A.
Childs	Hoffman	Shanley	Wells, J. L.
Cohen	Howland	Sheridan	Wiley
Comstock	Hynes	Sherman	Wren
Congdon			

Those who voted in the negative, were

Carpenter, E. A. Travis

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. C. S. Baker in the Chair.

The Senate bill entitled "An act making appropriation for continuing work upon the new capitol during the winter and spring of the year 1880," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }  
{ NOES 5 }

Those who voted in the affirmative, were

Alvord	Cookinham	Hynes	Sherman
Baker, B. F.	Crapsier	Kennedy	Shuit
Baker, C. S.	Cullinan	Lefever	Sipp
Beach	Curtis	Lindsay	Sisson
Beates	Cushing	Low	Slingerland
Benedict, E. D.	Davis	McCarthy	Steele
Bennett	Deane	Miller	Terpeny
Bradley	Duguid	Mitchell	Terry
Brennan	Ellis	Mooers	Titus
Bridges	Evans	Morgan	Tormey
Brodsky	Ferris	Newman	Tozier
Bullock	Fish	Nowlan	Travis
Carpenter, E. A.	Fiske	Parker	Tully
Carpenter, I. S.	Fitzgerald	Peck	Tuthill, H. H.
Case	Gillette	Phillips	Tuttle, R. M.
Catlin	Gorsline	Pitcher	Van Valkenburgh
Chase	Gray	Potts	Warner



Childs	Griggs	Root	Waterbury
Clancy	Grosse	Sanders	Wells, D. A.
Clowes	Hoffman	Seeley	Wells, J. L.
Cohen	Howland	Shanley	Wiley
Comstock	Hurd	Sheridan	Wren
Congdon	Husted		

Those who voted in the negative, were

Benedict, T. E.	Douglass	Gwinup	Skinner
Chickering			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to protect Central Park in the city of New York, and the streets bordering upon the same, from encroachment by elevated railroads," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Comstock	Gwinup	Shanley
Baker, B. F.	Congdon	Hoffman	Sheridan
Baker, C. S.	Cookinham	Howland	Sherman
Beach	Crapser	Hurd	Shuit
Beates	Cullinan	Husted	Sipp
Benedict, E. D.	Curtis	Hynes	Sisson
Bennett	Cushing	Lefever	Skinner
Bradley	Davis	Lindsay	Slingerland
Brennan	Deane	Low	Tallmadge
Bridges	Douglass	McCarthy	Terpeny
Brodsky	Duguid	Mead	Terry
Bullock	Ellis	Miller	Titus
Carpenter, E. A.	Evans	Mitchell	Tormey
Carpenter, I. S.	Ferris	Morgan	Tozier
Case	Fish	Newman	Tully
Catlin	Fiske	Nowlan	Tuthill, H. H.
Chamberlain	Fitzgerald	Peck	Tuttle, R. M.
Chase	Gillette	Pitcher	Van Valkenburgt.
Chickering	Gorsline	Potts	Wells, D. A.
Childs	Gray	Roberts	Wells, J. L.
Clancy	Griggs	Root	Wiley
Cohen	Grosse	Seeley	Wren

Those who voted in the negative, were

Benedict, T. E.

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend section 3 of chapter 126 of the Laws of 1876, entitled 'An act supplementary to chapter 60 of the Laws of 1813, entitled 'An act to provide for the incorporation of religious societies,' and the acts supplementary thereto," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was decided in the affirmative.

{ AYES 84 }  
{ NOES 90 }

Those who voted in the affirmative, were

Alvord	Crapser	Hurd	Shuit
Baker, B. F.	Cullinan	Husted	Sipp
Baker, C. S.	Curtis	Hynes	Sisson
Beates	Cushing	Kennedy	Skinner
Benedict, T. E.	Davis	Lefever	Slingerland
Bradley	Douglass	Mead	Steele
Brennan	Duell	Miller	Tallmadge
Bridges	Duguid	Mitchell	Terry
Brodsky	Evans	Newman	Titus
Bullock	Ferris	Nowlan	Tozier
Carpenter, I. S.	Fish	Peck	Tully
Case	Fiske	Phillips	Tuthill, H. H.
Catlin	Fitzgerald	Pitcher	Tuttle, R. M.
Chamberlain	Gorsline	Potts	Van Valkenburgh
Chase	Gray	Rhodes	Warner
Chickering	Griggs	Roberts	Waterbury
Childs	Grosse	Root	Wells, D. A.
Clowes	Gwinup	Sanders	Wells, J. L.
Cohen	Havens	Seeley	Weston
Comstock	Hoffman	Sheridan	Wiley
Congdon	Howland	Sherman	Wren

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act to enable the trustees of villages in the county of Richmond to contract for a supply of water to such villages for fire and other public purposes, and to raise and expend money therefor."

"An act to amend section 2 of chapter 917 of the Laws of 1869, entitled 'An act authorizing the consolidation of certain railroad companies.'"

The bill entitled "An act to amend chapter 127 of the Laws of 1860, entitled 'An act to organize a fire department in the village of Delhi, Delaware county,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }  
{ NOES 13 }

Those who voted in the affirmative, were

Baker, C. S.	Comstock	Hoffman	Root
Beach	Crapser	Howland	Sanders
Beates	Cullinan	Hurd	Seeley
Benedict, E. D.	Curtis	Husted	Sheridan
Benedict, T. E.	Cushing	Hynes	Shuit
Bennett	Davis	Kennedy	Slingerland
Brennan	Deane	Lefever	Steele
Bridges	Douglass	Lindsay	Tallmadge
Brodsky	Duguid	McCarthy	Terpeny
Bullock	Ellis	Mead	Titus
Carpenter, E. A.	Evans	Miller	Tozier
Carpenter, I. S.	Ferris	Mitchell	Tully

Case	Fish	Mooers	Tuthill, H. H.
Catlin	Fitzgerald	Morgan	Tuttle, R. M.
Chase	Griggs	Nowlan	Wells, D. A.
Chickering	Grosse	Parker	Wells, J. L.
Childs	Gwinup	Peck	Weston
Clancy	Havens	Phillips	Wiley
Clowes	Hayes	Potts	Wren
Cohen			

Those who voted in the negative, were

Alvord	Gorsline	Rhodes	Skinner
Bradley	Gray	Roberts	Warner
Cookinham	Low	Sherman	Waterbury
Fiske			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to revive the Gypsum Cemetery Association in Ontario county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 78 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Clowes	Grosse	Russell
Baker, B. F.	Cohen	Gwinup	Sanders
Baker, C. S.	Comstock	Hoffman	Seeley
Beates	Congdon	Howland	Sherman
Benedict, T. E.	Cookinham	Hurd	Sipp
Bennett	Crapser	Husted	Sisson
Bradley	Cullinan	Kennedy	Steele
Brennan	Curtis	Low	Terpeny
Bridges	Cushing	McCarthy	Terry
Brodsky	Davis	Miller	Titus
Bullock	Deane	Mitchell	Travis
Carpenter, E. A.	Douglas	Morgan	Tuthill, H. H.
Carpenter, I. S.	Duguid	Newman	Tuttle, R. M.
Case	Ellis	Nowlan	Warner
Catlin	Evans	Parker	Waterbury
Chamberlain	Ferris	Peck	Wells, D. A.
Chase	Fish	Potts	Wells, J. L.
Chickering	Fiske	Roberts	Weston
Childs	Gorsline	Root	Wren
Clancy	Griggs		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Comstock offered for the consideration of the House a resolution in the words following :

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor recalling Assembly bill No. 167, general orders No. 209, entitled "An act to amend chapter 598 of the Laws of 1870, entitled 'An act to amend an act to incorporate the city of Troy,' passed April 12, 1816, and the several acts amendatory thereof; also to amend other acts relating to the city of Troy, and supplemental thereto," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The bill entitled "An act to regulate the location of future burial grounds or cemeteries within the city of Buffalo," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 78 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Clancy	Havens	Sanders
Baker, B. F.	Clowes	Hoffman	Seeley
Baker, C. S.	Cohen	Howland	Sheridan
Beach	Congdon	Hurd	Sipp
Beates	Cookinham	Husted	Sisson
Benedict, E. D.	Crapser	Hynes	Skinner
Benedict, T. E.	Cullinan	Kennedy	Steele
Bradley	Curtis	Lefever	Tallmadge
Brennan	Davis	Low	Terpeny
Bridges	Douglass	Miller	Terry
Brodsky	Duguid	Mitchell	Titus
Bullock	Ellis	Morgan	Tozier
Carpenter, E. A.	Evans	Parker	Travis
Carpenter, I. S.	Ferris	Peck	Tuthill, H. H.
Case	Fish	Phillips	Tuttle, R. M.
Catlin	Gorsline	Pitcher	Warner
Chamberlain	Gray	Potts	Waterbury
Chase	Griggs	Roberts	Wells, D. A.
Chickering	Grosse	Root	Wren
Childs	Gwinup		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act concerning the indexing of assignments of mortgages," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Hurd	Sherman
Baker, B. F.	Crapser	Kennedy	Shuit
Baker, C. S.	Cullinan	Lefever	Sipp
Beach	Curtis	Low	Sisson
Beates	Oushing	McCabe	Skinner
Benedict, E. D.	Davis	McCarthy	Slingerland
Benedict, T. E.	Douglass	Mead	Steele
Bennett	Duguid	Miller	Tallmadge
Bradley	Ellis	Mitchell	Terpeny
Bridges	Evans	Nowlan	Terry
Brodsky	Ferris	Parker	Titus
Bullock	Fish	Peck	Tully
Carpenter, E. A.	Fitzgerald	Phillips	Tuthill, H. H.

Carpenter, I. S.	Gorsline	Pitcher	Tuttle, R. M.
Case	Gray	Potts	Warner
Catlin	Griggs	Roberts	Waterbury
Chamberlain	Grosse	Root	Wells, D. A.
Chickering	Gwinup	Sanders	Wells, J. L.
Childs	Hayes	Seeley	Weston
Clowes	Hoffman	Shanley	Wren
Congdon	Howland	Sheridan	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend section 430 of the Code of Procedure," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Husted	Sipp
Baker, B. F.	Cushing	Lefever	Sisson
Baker, C. S.	Davis	Lindsay	Skinner
Beach	Douglass	Low	Slingerland
Benedict, E. D.	Duguid	McCabe	Steele
Bradley	Ellis	McCarthy	Tallmadge
Bridges	Evans	Mead	Terpeny
Brodskey	Ferris	Miller	Terry
Carpenter, E. A.	Fish	Mitchell	Titus
Carpenter, I. S.	Fitzgerald	Nowlan	Tozier
Case	Gorsline	Parker	Travis
Catlin	Gray	Peck	Tully
Chamberlain	Griggs	Phillips	Tuthill, H. H.
Chickering	Grosse	Pitcher	Tuttle, R. M.
Childs	Gwinup	Roberts	Warner
Clowes	Havens	Root	Waterbury
Cohen	Hayes	Seeley	Wells, D. A.
Comstock	Hoffman	Sheridan	Wells, J. L.
Congdon	Howland	Sherman	Weston
Cookinham	Hurd	Shuit	Wren
Crapser			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the Assembly bill entitled "An act for the improvement of the Hudson river, and to make an appropriation therefor," with a message that they have concurred in the passage of the same with the following amendments:

Add at the end of section 1 the following: "Of which sum not exceeding two thousand dollars, in the discretion of the State Engineer and Surveyor, may be expended in removing obstructions in the west channel of the river in the town of Coxsackie."

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 89 }  
{ NOES 4 }

Those who voted in the affirmative, were

Alvord	Cullinan	Lindsay	Shuit
Baker, C. S.	Curtis	Low	Sipp
Beach	Cushing	McCabe	Sisson
Beates	Davis	McCarthy	Slingerland
Benedict, E. D.	Douglass	Mead	Tallmadge
Benedict, T. E.	Duguid	Miller	Terpeny
Bennett	Ellis	Mitchell	Terry
Bradley	Ferris	Morgan	Titus
Bridges	Fish	Newman	Tormey
Brodaky	Fitzgerald	Nowlan	Travis
Bullock	Gray	Parker	Tully
Carpenter, E. A.	Griggs	Peck	Tuthill, H. H.
Carpenter, I. S.	Grosse	Phillips	Tuttle, R. M.
Case	Gwinup	Pitcher	Van Valkenburgh
Catlin	Hayes	Potts	Warner
Chase	Hofman	Roberts	Waterbury
Chickering	Howland	Root	Wells, D. A.
Childs	Hurd	Sanders	Wells, J. L.
Clancy	Husted	Seeley	Weston
Clowes	Hynes	Shanley	Wiley
Cohen	Kennedy	Sheridan	Wren
Congdon	Lefever	Sherman	Mr. Speaker
Cookinham			

Those who voted in the negative, were

Brennan	Crapser	Evans	Skinner
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*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendment.

Mr. Speaker announced as the special joint committee on assessment and taxation, as follows:

Mr. Steele of Oswego; Mr. Alvord of Onondaga; Mr. Phillips of Orleans; Mr. Bradley of Westchester; Mr. Case of Ontario; Mr. Beach of Schuyler; Mr. Sherman of Wayne; Mr. Rhodes of Rensselaer.

Mr. Alvord asked to be excused from acting on said committee.

Mr. Speaker put the question whether the House would agree to said request, and it was determined in the affirmative.

By unanimous consent,

Mr. Catlin offered for the consideration of the House a resolution in the words following:

*Resolved*, That the superintendent of the capitol be authorized and directed to purchase a sufficient number of chairs for the use of the members, of such form and character as to permit the passage of the members to and from their seats without inconvenience.

By unanimous consent, Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Cullinan moved to reconsider the vote by which said resolution was passed, and said resolution be laid on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate returned the Assembly bill entitled "An act in relation

to the appointment of Stanley M. Bierce as a notary public," with a message that they have concurred in the same, with the following amendments :

Strike out section 1 and insert in lieu thereof the following :

Section 1. The oath of office and official acts of M. Stanley Bierce (appointed notary public for the county of Cortland by the name of Stanley M. Bierce, on the 25th day of March 1879) heretofore or hereafter done as notary public for the county of Cortland by virtue of such appointment, are hereby made as legal, and shall have the same force and effect as they would have had if his name had been correctly inserted in said appointment.

Sec. 2, line 2, after "*any*" insert "*action or.*"

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Ingersoll	Shuit
Baker, B. F.	Cookinham	Kennedy	Sipp
Baker, C. S.	Crapser	Lefever	Sisson
Beates	Cullinan	McCabe	Skinner
Benedict, E. D.	Douglass	McCarthy	Slingerland
Benedict, T. E.	Duguid	Mead	Tallmadge
Bradley	Evans	Miller	Terpeny
Brennan	Ferris	Mitchell	Terry
Bridges	Fish	Mooers	Titus
Brodsky	Fitzgerald	Morgan	Tozier
Bullock	Gorsline	Nowlan	Travis
Carpenter, E. A.	Gray	Parker	Tully
Carpenter, I. S.	Griggs	Peck	Tuthill, H. H.
Case	Grosse	Phillips	Tuttle, R. M.
Catlin	Gwinup	Potts	Van Valkenburgh
Chamberlain	Hoffman	Roberts	Warner
Chase	Howland	Root	Waterbury
Chickering	Hurd	Sanders	Wells, D. A.
Childs	Husted	Sheridan	Wells, J. L.
Clowes	Hynes	Sherman	Wren
Cohen			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

The Senate returned the Assembly bill entitled "An act to amend chapter 50 of the Laws of 1824, entitled 'An act relating to hackney coaches and carriages in the city of New York,'" with a message that they have concurred in the passage of the same with the following amendments :

Section 1, lines 11 and 12, strike out "common council" and insert in lieu thereof "mayor, or aldermen and commonalty."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Howland	Sheridan
Baker, C. S.	Cookinham	Husted	Sherman
Beach	Crapser	Ingersoll	Shuit
Beates	Cullinan	Kennedy	Siason
Benedict, T. E.	Curtis	Lefever	Skinner
Bennett	Davis	Lindsay	Slingerland
Bradley	Douglass	McCabe	Steele
Brennan	Duguid	McCarthy	Tallmadge
Bridges	Evans	Miller	Terry
Brodaky	Ferris	Mitchell	Titus
Bullock	Fish	Mooers	Tozier
Carpenter, E. A.	Fiske	Morgan	Tuthill, H. H.
Carpenter, I. S.	Fitzgerald	Nowlan	Tuttle, R. M.
Case	Gorsaline	Peck	Van Valkenburgh
Catlin	Gray	Phillips	Warner
Chamberlain	Griggs	Pitcher	Waterbury
Chase	Grosse	Potts	Wells, D. A.
Chickering	Gwinup	Rhodes	Wells, J. L.
Childs	Havens	Roberts	Weston
Clowes	Hayes	Seeley	Wren
Cohen	Hoffman	Shanley	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned the Assembly bill entitled "An act to amend section 7 of chapter 591, Laws of 1870, entitled 'An act in relation to the custody and disposition of the moneys arising from the sale of the plain or common lands of the town of Hempstead, Queens county, New York,'" with a message that they have concurred in the same with the following amendments:

Section 1, lines 11 and 12, strike out "*on first mortgage*," and insert "*on*;" line 12, strike out "*on*," second occurring, and insert "*upon unincumbered*;" same line, after "*estate*," insert "*of twice the value of the amount loaned*;" line 20, strike out "*first mortgage*;" line 21, strike out "*on*," and insert "*upon unincumbered*;" same line, after "*estate*," insert "*of twice the value of the amount loaned*."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Lindsay	Shuit
Baker, B. F.	Cullinan	McCabe	Sipp
Baker, C. S.	Davis	McCarthy	Siason
Beach	Duguid	Mead	Skinner
Beates	Ellis	Miller	Slingerland
Benedict, E. D.	Evans	Mitchell	Steele
Benedict, T. E.	Ferris	Mooers	Tallmadge
Brennan	Fish	Morgan	Terpeny
Bridges	Fiske	Nowlan	Terry
Brodaky	Fitzgerald	Parker	Titus
Bullock	Gorsaline	Peck	Tozier



Carpenter, E. A.	Griggs	Phillips	Travis
Carpenter, I. S.	Grosse	Pitcher	Tuthill, H. H.
Case	Hoffman	Potts	Tuttle, R. M.
Catlin	Howland	Rhodes	Van Valkenburgh
Chamberlain	Hurd	Roberts	Warner
Chase	Husted	Root	Waterbury
Childs	Ingersoll	Seeley	Wells, D. A.
Clowes	Kennedy	Sheridan	Wells, J. L.
Cohen	Lefever	Sherman	Weston
Congdon			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

The Senate returned the Assembly bill entitled "An act to amend chapter 353 of the Laws of 1878, entitled 'An act in relation to the term of office of the clerk and assistant clerk of the board of supervisors of Kings county, and of the engineers of the county court-house in said county,'" with a message that they have concurred in the passage of the same with the following amendments:

Section 1, line 14, after clerks insert "and messenger."

Same section, line 16, after clerks insert "and messenger."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Kennedy	Seeley
Baker, B. F.	Davis	Lefever	Sheridan
Baker, C. S.	Deane	Lindsay	Sherman
Beach	Douglass	Low	Sisson
Beates	Duell	McCabe	Skiffner
Benedict, E. D.	Duguid	McCarthy	Slingerland
Bradley	Evans	Mead	Steele
Bridges	Ferris	Miller	Tallmadge
Brodsky	Fish	Mitchell	Terpeny
Bullock	Fiske	Mooers	Titus
Carpenter, E. A.	Fitzgerald	Nowlan	Tozier
Carpenter, I. S.	Gorsline	Parker	Travis
Case	Griggs	Peck	Tuthill, H. H.
Chamberlain	Grosse	Phillips	Tuttle, R. M.
Chase	Gwinup	Pitcher	Van Valkenburgh
Childs	Hoffman	Potts	Warner
Cohen	Howland	Rhodes	Waterbury
Congdon	Hurd	Roberts	Wells, D. A.
Cookinham	Husted	Root	Wells, J. L.
Crapsier	Ingersoll	Sanders	Weston

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same.

"An act to perfect title to lands in the trustee of the village of Skaneateles for county purposes."

"An act to amend chapter 863 of the Laws of 1873, entitled 'An

act to amend the charter of the city of Brooklyn,' and the various amendments thereto."

*Ordered*, That the Clerk deliver said bills to the Governor.

Messrs. Sipp and Clowes presented a petition in favor of the passage of the act to regulate the manufacture of cigars in tenement houses in the cities of New York and Brooklyn; which was read and referred to the committee on affairs of cities.

Mr. Tuttle presented a petition of 2,000 citizens of Steuben county for the passage of an act prohibiting the liquour traffic in said county; which was read and referred to the committee on internal affairs.

Mr. Mooers presented a petition of citizens of Plattsburgh asking for a modification in the excise laws; which was read and referred to the committee on internal affairs.

Mr. Mitchell presented a memorial of the New York Board of Underwriters against the bill for the removal of Murray Hill reservoir, and in favor of the bill providing for a commission to inquire into the water supply of New York city; which was read and referred to the committee on affairs of cities.

The hour of 2 having arrived the House adjourned until 11 o'clock to-morrow morning.

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## FRIDAY MORNING, FEBRUARY 27, 1880.

The House met pursuant to adjournment.

Prayer, by Rev. Mr. McGuire.

The journal of yesterday was read and approved.

Privilege of the floor was granted to Hon. Mr. Gere.

Leave of absence was granted to Mr. Case until Wednesday.

Indefinite leave of absence was granted to Mr. Ellis, also Mr. Duguid.

Mr. Rhodes rose to a question of privilege and stated that on page 241 of the journal, he was recorded as offering a resolution for printing 2,500 copies of the annual report of the Superintendent of Public Instruction; said resolution was not offered by him, but by Mr. Potter.

On page 291 of the journal, the name of T. E. Benedict should read, E. D. Benedict, as the committee appointed to inform the Senate of the election of a Speaker *pro tem*.

Mr. D. A. Wells introduced a bill entitled "An act to legalize and confirm the official acts of William J. Robb, a justice of the peace of the town of Perth, in the county of Fulton," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Newman introduced a bill entitled "An act to amend chapter 253 of the Laws of 1877, entitled 'An act to amend chapter 107 of the Laws of 1877, entitled 'An act in relation to the Superintendent of State prisons, and for the more efficient and economical management of said prisons,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State prisons.

Mr. Terpeny introduced a bill entitled "An act to provide for the revision and correcting of certain assessments for local improvements

in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

Mr. Cookinham introduced a bill entitled "An act to legalize the official acts of Samuel Williams, a justice of the peace of Bridgewater, in the county of Oneida," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Gwinup (by request) introduced a bill entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration and regulate the compensation of supervisors,' passed June 5, 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Terry introduced a bill entitled "An act to amend chapter 101 of the Laws of 1879, entitled 'An act to amend section 28 of article 2, title 10 of chapter 8 of part 3 of the Revised Statutes, relating to summary proceedings to recover the possession of lands,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Bradley introduced a bill entitled "An act to amend chapter 737 of the Laws of 1873, entitled 'An act in relation to the creation and formation of water-work companies in towns and villages of the State of New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Sipp introduced a bill entitled "An act further defining and limiting the powers and duties of the commissioner of the road formerly known as the Buffalo Plank Road, in the county of Erie, and contracting said road," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Shanley presented the annual report of the Brooklyn Institute, which was laid on the table and ordered printed.

(See Doc. No. 65.)

Mr. Speaker introduced a bill entitled "An act to amend the charter of the society for the relief of half orphan and destitute children in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Tallmadge introduced a bill entitled "An act further to amend chapter 863 of the Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn, and the various amendments thereof,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

A message from the Senate was received and read informing of concurrence in the passage of the bills entitled as follows:

"An act to legalize the official acts and proceedings of Richmond S. Hayes, a justice of the peace of the town of East Broomfield, in the county of Ontario."

"An act to amend chapter 127 of the Laws of 1860, entitled 'An act to organize a fire department in the village of Delhi, Delaware county.'"

"An act to extend the time for the collection of county taxes in the city of Auburn."

"An act to amend chapter 615 of the Laws of 1868, entitled 'An act conferring additional corporate powers upon the village of Ellen-ville.'"

*Ordered*, That the Clerk deliver said bills to the Governor.

The Senate returned the Senate bill entitled as follows:

"An act to amend chapter 777 of the Laws of 1870, entitled "An act to incorporate the village of Walden, in the county of Orange."

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

A message from the Senate was received and read informing of concurrence in the passage of the bill entitled as follows:

"An act to amend chapter 126 of the Laws of 1873, entitled 'An act to organize a board of school commissioners in and for the city of Troy,' passed March 25, 1873, and the several acts amendatory thereof."

*Ordered*, That the Clerk deliver said bill to the Governor.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Sheridan (introductory No. 516), entitled "An act to release and grant the interest of the people of the State of New York in certain real estate in the city of Brooklyn," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Mitchell (introductory No. 176), entitled "An act to prohibit vivisection of animals," reported adversely thereto, which report was agreed to.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Brennan (introductory No. 584), entitled "An act conferring additional powers upon the board of supervisors of Franklin county," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Warner (introductory No. 222), entitled "An act to provide a lien to the keeper or boarder of horses," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Congdon (introductory No. 531), entitled "An act to amend section 82, article 3, title 4, chapter 2, part 4 of the Revised Statutes, relative to removing indictments to the Supreme Court from courts of Oyer and Terminer," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Hayes (introductory No. 236), entitled "An act to amend chapter 515 of the Laws of 1871, entitled 'An act to prevent fraud in auction sales, and fraudulent conduct on the part of auctioneers in the cities of New York and Brooklyn,'" reported in favor of the passage of the same with amendments, which

report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Hayes (introductory No. 94), entitled "An act to incorporate an exchange salesroom in the city of New York and to designate the place for judicial sales of real estate in the said city," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Curtis (introductory No. 363), entitled "An act to legalize the official acts and proceedings of John Bradley Bliven, a justice of the peace of Chenango county," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Clowes (introductory No. 247), entitled "An act relating to the term of office of the supervisors in the several towns of Queens county," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Childs (introductory No. 359), entitled "An act in relation to stenographers in the counties comprising the sixth judicial district," reported adversely thereto, which report was agreed to.

Mr. Tozier, from the committee on general laws, to which was referred the bill introduced by Mr. Parker (introductory No. 202), entitled "An act to amend chapter 388 of the Laws of 1879, entitled 'An act to amend chapter 549 of the Laws of 1867, entitled 'An act to amend an act passed February 11, 1860, entitled 'An act in relation to the cutting of ice in the Hudson river and providing additional safe-guards for travelers and teams and conferring jurisdiction over offenses mentioned in said act,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Tozier, from the committee on general laws, to which was referred the bill introduced by Mr. Tozier (introductory No. 562), entitled "An act regulating the payment of school moneys apportioned to the several counties of this State," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Tozier, from the committee on general laws, to which was referred the bill introduced by Mr. Wren (introductory No. 501), entitled "An act to repeal chapter 267 of the Laws of 1879, entitled 'An act to amend section 3 of chapter 197 of the Laws of 1847, entitled 'An act authorizing the erection of town houses,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Skinner, from the committee on railroads, to which was referred the bill introduced by Mr. J. L. Wells (introductory No. 133), entitled "An act to amend chapter 361 of the Laws of 1863, entitled 'An act to authorize the construction of a railway and tracks in the towns of West Farms and Morrisania,'" reported adversely thereto, which report was agreed to.

On motion of Mr. Skinner said report with bill was laid on the table.

Mr. Skinner, from the committee on railroads, to which was referred the bill introduced by Mr. Peck (introductory No. 245), entitled "An act to authorize the Ogdensburg and Lake Champlain Railroad Company to issue bonds and to execute a mortgage to raise funds to provide for the retirement of its preferred stock and other purposes," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Skinner, from the committee on railroads, to which was referred the bill introduced by Mr. Grosse (introductory No. 58), entitled "An act to regulate the rate of fare to be charged and collected by persons or corporations operating elevated railroads in the city of New York," reported adversely thereto, Mr. Skinner, Mr. Chickering, Mr. Kennedy and Mr. Low, dissenting.

Mr. Skinner moved to disagree with the report of said committee and that said bill be committed to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

{ AYES 89 }  
 { NOES 5 }

Those who voted in the affirmative, were

Alvord	Crapsier	Kennedy	Sanders
Baker, B. F.	Cullinan	Lefever	Seeley
Beach	Curtis	Lindsay	Shanley
Beates	Cushing	Low	Sheridan
Benedict, E. D.	Davis	McCabe	Sherman
Benedict, T. E.	Douglass	McCarthy	Sipp
Bennett	Duell	Mead	Sisson
Bradley	Evans	Miller	Skinner
Brennan	Ferris	Mitchell	Slingerland
Bridges	Fiske	Moorea	Steele
Bullock	Fitzgerald	Morgan	Tallmadge
Carpenter, I. S.	Gorsline	Newman	Terpeny
Case	Gray	Nowlan	Terry
Chamberlain	Griggs	Parker	Titus
Chase	Grosse	Peck	Tormey
Chickering	Gwinup	Phillips	Travis
Childs	Hayes	Potter	Tully
Clancy	Howland	Potts	Tuthill, H. H.
Clowes	Hurd	Rhodes	Van Valkenburgh
Cohen	Husted	Roberts	Wells, J. L.
Comstock	Hynes	Root	Wiley
Congdon	Ingersoll	Russell	Wren
Cookinham			

Those who voted in the negative, were

Catlin	Havens	Tozier	Wells, D. A.
Gillette			

*Ordered*, That said bill be committed to the committee of the whole.

Mr. Skinner, from the committee on railroads, to which was referred the bill introduced by Mr. C. S. Baker (introductory No. 394), entitled "An act to amend chapter 151 of the Laws of 1873, entitled 'An act for the relief of stockholders of corporations whose certificates of stock have been lost or destroyed,' passed March 27, 1873," reported

in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Curtis (introductory No. 73), entitled "An act to amend chapter 175 of the Laws of 1870, entitled 'An act regulating the sale of intoxicating liquors,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Moders (introductory No. 410), entitled "An act to amend an act creating a board of town auditors in the several towns in this State, and to prescribe their powers and duties, passed April 20, 1875," reported in favor of the passage of the same with an amendment, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Sipp (introductory No. 583), entitled "An act to amend an act entitled 'An act to provide for the erection and establishment of a workhouse in the county of Erie,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Travis (introductory No. 563), entitled "An act in relation to the superintendents of the poor of the county of Westchester, and the keeper of the county house in said county," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Strait (introductory No. 199), entitled "An act to enable the respective towns in the county of Rensselaer to reduce its number of town officers," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Douglass (introductory No. 306), entitled "An act to abolish the office of railroad commissioner of the town of Augusta, in the county of Oneida, and to authorize the supervisor of said town to discharge the duties now pertaining to said office," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Wells, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Potts (introductory No. 290), entitled "An act to exempt the corporation of the village of Monticello, in Sullivan county, and the trustees and other officers of said village from the provisions of chapter 440 of the Laws of 1873, entitled 'An act requiring commissioners of highways to act as inspectors of plank roads and turnpikes,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Wells, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Weston (introductory No. 397), entitled "An act to establish a special road district and to appropriate the highway taxes on the non-resident lands therein for the construction of a road from Blood's Hotel in Harrietstown, Franklin county, to

Tupper's lake, in the county of Franklin," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Bridges, from the committee on public printing, to which was referred the Senate resolution to print extra copies of the report of the State Assessors, reported in favor of concurring in the adoption of the following resolution:

*Resolved* (if the Assembly concur), That 5,000 copies of the report of the State Assessors be printed and delivered to the Secretary of State for distribution to the assessors and supervisors for each town and city in the State; also, 5,000 copies be printed to be delivered to the Legislature for the use of its members; and 2,000 copies be printed for the use of the State Assessors and delivered to them. All of the said copies to be put up in paper covers, the price of the same not to exceed the sum of \$800.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

{ AYES 72 }  
{ NOES 10 }

Those who voted in the affirmative, were

Alvord	Congdon	Husted	Russell
Baker, B. F.	Cookinham	Ingersoll	Sanders
Beach	Crapser	Kennedy	Shanley
Beates	Cullinan	Lefever	Sheridan
Bennett	Curtis	Lindsay	Sherman
Bradley	Cushing	Low	Sipp
Brennan	Davis	McCabe	Skinner
Bridges	Douglass	Miller	Steele
Bullock	Duell	Mitchell	Tallmadge
Case	Evans	Mooers	Terpeny
Catlin	Ferrie	Morgau	Titus
Chamberlain	Fiske	Nowlan	Tozier
Chase	Fitzgerald	Parker	Travis
Chickering	Gillette	Peck	Tuthill, H. H.
Childs	Gorsline	Phillips	Van Valkenburgh
Clancy	Gray	Potts	Wells, D. A.
Clowes	Hayes	Roberts	Wells, J. L.
Comstock	Howland	Root	Wren

Those who voted in the negative, were

Benedict, E. D.	Grosse	Newman	Tormey
Benedict, T. E.	Gwinup	Rhodes	Tully
Cohen	Havens		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in said resolution.

Mr. Shanley offered for the consideration of the House the following privileged resolution.

*Resolved*, That when this House adjourns to-day it be to meet on Monday evening next at 8 o'clock.

Mr. Husted moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.



{ AYES 57 }  
{ NOES 28 }

Those who voted in the affirmative, were

Baker, B. F.	Duell	Lindsay	Sheridan
Benedict, E. D.	Evans	McCabe	Sherman
Bennett	Ferris	Miller	Sipp
Bradley	Fiske	Mitchell	Tallmadge
Bridges	Fitzgerald	Morgan	Titus
Catlin	Gillette	Nowlan	Tormey
Chamberlain	Gorsline	Parker	Travis
Chickering	Gray	Phillips	Tully
Clowes	Grosse	Potter	Tuthill, H. H.
Cohen	Gwinup	Rhodes	Van Valkenburgh
Congdon	Hayes	Roberts	Wells, J. L.
Cookinham	Howland	Root	Weston
Cullinan	Hurd	Russell	Wiley
Cushing	Kennedy	Shanley	Wren
Douglass			

Those who voted in the negative, were

Alvord	Clancy	Low	Sisson
Beach	Crapser	Mead	Skinner
Beates	Curtis	Mooers	Steele
Benedict, T. E.	Davis	Newman	Terpeny
Case	Havens	Peck	Terry
Chase	Husted	Potts	Tozier
Childs	Ingersoll	Sanders	Wells, D. A.

By unanimous consent,

Mr. Steele introduced a bill entitled "An act to prevent individuals, companies, associations and corporations from issuing policies or other guarantees against loss or damage by fire or lightning in incorporated cities of this State without previous compliance with the general insurance laws," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

By unanimous consent,

Mr. Fitzgerald offered for the consideration of the House a resolution in the words following:

*Whereas*, The boundary lines of the city of New York are clearly defined by the grants of James the Second and the charters of Thomas Dungan and Montgomerie as early as sixteen hundred and eighty-six (1686), to wit; commencing at low-water mark on the Westchester side of Spuyten Duyvil creek, and the North river running down to the East river or Sound to low-water mark on Nassau island, now Long Island, including Great Barn island now known as Ward's island, Little Barn island now known as Randall's island, and Manning's island now known as Blackwell's island, from thence running all along Nassau or Long Island shore at low-water mark unto the south side of Red Hook, from thence by a line across the Bay or North river to low-water mark so as to include Nutten island now known as Governor's island, Bodloe's island, Bucking island and the oyster island, and run up the west side of said North river at low-water mark until it comes to Bestavers Killitie rivulet or brook opposite the line of commencement, Spuyten Duyvil creek or run; and

*Whereas*, The city of New York has maintained for over one hundred years, before the first State Constitution was adopted, her right

and title to such lines as prescribed by the grant above mentioned and exercised jurisdiction over all the within territory; and

*Whereas*, Within the last twenty seven years encroachments have gradually been made over and past the boundaries of the city and State on the west bank and shore of the North river, by ferry companies, railroad companies and other corporations and individuals. They have built docks, piers, ferry houses, hotels, railroad depots and bulk-heads all inside of the city and State line; therefore be it

*Resolved*, That the Secretary of the State be requested to transmit to this House within twenty days a transcript of all legislation on file in his office, and information in his possession, that has occurred during the within mentioned time, relating to the granting of such privileges to corporations or individuals.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Bradley moved to discharge the committee of the whole from further consideration of the bill entitled "An act to establish, govern and manage the New York State Home for the Blind," and that said bill be referred to the committee on ways and means.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Lefever introduced a bill entitled "An act to provide for the navigation of the waters of the State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent,

Mr. Hayes introduced a bill entitled "An act to amend chapter 10 of the Laws of 1860, entitled 'An act relative to railroads in the city of New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Sherman, from the committee on public education, to which was referred the bill introduced by Mr. Potter (introductory No. 547), entitled "An act to amend chapter 353 of the Laws of 1867, entitled 'An act to consolidate the several school districts and parts within the corporate limits of the village of Saratoga Springs, and to establish a free union school or schools therein,'" reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sherman, from the committee on public education, to which was referred the bill introduced by Mr. Potts (introductory No. 507), entitled "An act to amend chapter 647 of the Laws of 1865, entitled 'An act to amend an act entitled 'An act to revise and consolidate the general acts relating to public instructions, passed May 2, 1864,'" reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sherman, from the committee on public instruction, reported a bill entitled "An act to repeal chapter 264 of Laws of 1879, entitled 'An act to amend chapter 467 of the Laws of 1865, entitled 'An act to amend an act entitled 'An act to revise and consolidate the general acts relating to public instruction,'" which was read the first time, and by unanimous consent, was also read the second time, and committed to the committee of the whole.

Mr. Chickering, from the committee on game laws, to which was referred the bill introduced by Mr. Travis (introductory No. 357), entitled "An act to regulate the manner of sale of fresh fish," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Chickering, from the committee on game laws, to which was referred the bill introduced by Mr. Lefever (introductory No. 373), entitled "An act to release all that part of the waters of the Wallkill creek and its inlets lying and being in the county of Ulster from the operation of the provisions of sections 23, 24, and 26, of chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish, and other game, passed January 20, 1879,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Sheridan introduced a bill entitled "An act in relation to unpaid taxes and assessments in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Chase introduced a bill entitled "An act to amend chapter 240 of the Laws of 1827, entitled 'An act for incorporating an aqueduct association in the village of Cooperstown in the county of Otsego,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

By unanimous consent,

Mr. Gillette introduced a bill entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administrations and to regulate the compensation of supervisors'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Husted offered for the consideration of the House a resolution in the words following:

*Resolved*, That the Secretary of State be and he is hereby requested to furnish this House at his earliest convenience the names of all incorporated companies in this State, the amount of capital of each company and its place of location or business, organized under chapter 40 of the Laws of 1848, entitled "An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes," also under chapter 611 of the Laws of 1875, entitled "An act to provide for the organization and regulation of certain business corporations, and the several acts amendatory thereof."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Grosse offered for the consideration of the House a resolution in the words following:

*Resolved*, That the acting Superintendent of the Bank Department report to the Assembly within ten days from date the replies he has received to his circular, dated September 10, 1879, addressed to the various savings banks in this State, and demanding a statement of their expenditures, which according to an opinion of the Attorney General, dated July 16, 1879, are clearly illegal.

*Resolved*, That said acting Superintendent report to the Assembly

within the period above mentioned all the other information he has received of illegal expenditures by savings banks in this State, and what he has done to prevent such abuses in the future.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Travis offered for the consideration of the House a resolution in the words following:

*Resolved*, That the Comptroller of this State be and he hereby is requested to report to this House at his earliest convenience, what counties or county treasurers have retained one per cent upon the State tax, and the amount so retained by each county or treasurer, and what counties have not retained it, and the amount each county or treasurer would have been entitled to retain if it had been retained.

Mr. Speaker put the question whether the House would agree to said resolution and it was determined in the affirmative.

Mr. Cullinan moved to take from the table the resolution previously offered by Mr. Catlin in words following:

*Resolved*, That the superintendent of the Capitol be authorized and directed to purchase a sufficient number of chairs for the use of the members of such form and character as to permit the passage of the members to and from their seats without inconvenience.

Mr. Speaker put the question whether the House would agree to take said resolution from the table and it was determined in the affirmative.

Mr. Cullinan moved to amend by adding at end of said resolution the words "the expense not to exceed five hundred dollars."

Mr. Husted moved to refer said resolution, with the amendments, to the committee on expenditures of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Russell offered for the consideration of the House a resolution in the words following:

*Resolved*, That bill No. 148, entitled "An act to abolish the office of county auditor of Kings county," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

Mr. Skinner offered the following concurrent resolution proposing an amendment to the Constitution by adding an additional article thereto, to be known as article seventeen:

*Resolved* (if the Senate concur), That the Constitution be amended by adding an additional article thereto, to be known as article seventeen, to read as follows:

#### ARTICLE XVII.

SECTION 1. The manufacture and sale of all intoxicating liquors in this State, except for medicinal, chemical, or mechanical purposes, is forever prohibited.

§2. The Legislature shall regulate such manufacture and sale for medicinal, chemical or mechanical purposes, and shall, at its first session after the adoption of this article, provide for the enforcement thereof by appropriate legislation.

*Resolved* (if the Senate concur), That the foregoing amendment be referred to the Legislature to be chosen at the next general election

of Senators, and that in conformity with section one of article thirteen of the Constitution it be published for three months previous to the time of such election; which was read and referred to the committee on internal affairs.

Mr. Tallmadge presented a petition of undertakers in the city of Brooklyn in favor of the passage of the bill in relation to the transit and burial of dead bodies, which was read and referred to the committee on public health.

Mr. Grosse presented a petition in favor of the bill regulating the manufacturing of cigars in tenement houses, which was read and referred to the committee of the whole.

Mr. Titus presented a petition of members of the medical profession of Tompkins county for the establishment of a State board of health, which was read and referred to the committee on public health.

Mr. Peck presented a petition of the tax payers of St. Lawrence county for the revision of the assessment law, which was read and referred to the committee on ways and means.

Mr. Congdon presented a petition asking repeal of the law exempting church property and ministers from taxation, which was read and referred to the committee on ways and means.

Mr. Parker presented a petition of A. T. Brandow for an appropriation for relief, which was read and referred to the committee on ways and means.

Mr. Roberts presented a petition of citizens of Buffalo, asking an appropriation for enlargement and deepening of the Erie basin at Buffalo, which was read and referred to the committee on canals.

Mr. Case presented a petition of citizens of Ontario county against any change in the excise laws, which was read and referred to the committee on internal affairs.

On motion of Mr. Husted and at 1 o'clock and 10 minutes the House adjourned.

## MONDAY EVENING, MARCH 1, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Selkreg.

The journal of yesterday was read and approved.

Mr. Speaker presented the report of the Superintendent of Public Works, which was laid on the table and ordered printed.

(See Doc. No. 69.)

The Senate returned the bills entitled as follows:

"An act for the improvement of the Hudson river, and to make an appropriation therefor."

"An act to amend section 7 of chapter 591, Laws of 1870, entitled 'An act in relation to the custody and disposition of the moneys arising from the sale of the plain or common lands of the town of Hempstead, Queens county, New York,' passed May 3, 1870."

"An act in relation to the appointment of Stanley M. Bierce as a notary public."

Ordered, That the Clerk deliver said bills to the Governor.

A message from the Senate was received and read informing of concurrence in the passage of the bills entitled as follows:

"An act to amend section 10 of title 8 of chapter 77 of the Laws of 1870, entitled 'An act to amend the act to combine into one act the several acts relating to the city of Albany,' passed April 12, 1842, and the several acts amendatory thereof; and also to repeal the act to establish a capital police district, and to provide for the government thereof, passed April 22, 1865, and the several acts amendatory thereof, in so far as they relate to the city of Albany."

"An act to amend chapter 50 of the Laws of 1824, entitled 'An act relating to hackney coaches and carriages in the city of New York.'"

*Ordered*, That the Clerk deliver said bills to the Governor.

Mr. Alvord offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor for the return of Assembly bill No. 72, general order 71, entitled "An act to extend the charter of the Central City Railway."

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate sent for concurrence the following resolution:

*Resolved* (if the Senate concur), That 2,500 copies of the annual report of the State Lunatic Asylum at Utica be printed for the use of the managers of the asylum.

*Ordered*, That said resolution be referred to the committee on public printing.

The Senate sent for concurrence the bill entitled as follows:

"An act further to amend chapter 270 of the Laws of 1850, entitled 'An act to authorize the appointment of commissioners to take the proof and acknowledgment of deeds and other instruments, and to administer oaths in other States and Territories,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to exempt certain towns of this State from the provisions of chapter 431 of the Laws of 1875, entitled 'An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Dougherty introduced a bill entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Treanor (by request) introduced a bill entitled "An act for the better protection of cartmen and others engaged in the removal of household furniture and other property in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Alvord introduced a bill entitled "An act to authorize a treaty with the Onondaga Indians," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, "An act to ascertain by proper proofs the citizens who shall be entitled to the right of suffrage in all towns and villages of this State whose boundary lines shall abut against the boundary line of any city having a population of over 20,000 inhabitants," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Howland introduced a bill entitled "An act concerning the manufacture of salt, and the inspection thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the manufacture of salt.

Mr. Bridges introduced a bill entitled "An act to amend section 1 of chapter 3 of part 2 of the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Clowes introduced a bill entitled "An act relating to certain streets and avenues in Astoria, Long Island City," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Husted introduced a bill entitled "An act to provide for the printing of the State canvass," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Potts introduced a bill entitled "An act to regulate the sale of intoxicating liquors by druggists," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Sherman introduced a bill entitled "An act to amend chapter 421 of the Laws of 1874, entitled 'An act to secure to children the benefit of elementary education,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Travis introduced a bill entitled "An act to amend the charter of the Hudson Suspension Bridge and New England Railway Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Also, "An act to amend chapter 458 of the Laws of 1875, entitled 'An act to amend chapter 807 of the Laws of 1873, entitled 'An act concerning notaries public in the counties of Kings, Queens, Richmond, Westchester, and Rockland, and in the city and county of New York, and authorizing them to exercise the functions of their office therein,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also (by request), "An act to amend section 1323 of the Code of Civil Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, "An act to provide for the bringing of actions for the relief in certain cases where agreements, contracts and instruments of writing have been recorded," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also (by request) "An act to enable Maine insurance companies, incorporated under the laws of this State, to amend their charters," which was read the first time, and by unanimous consent was

also read the second time, and referred to the committee on insurance.

The Private Secretary of the Governor appeared before the bar of the House and presented a message in words following:

STATE OF NEW YORK:  
EXECUTIVE CHAMBER,  
ALBANY, *March 1, 1880.* }

*To the Assembly:*

Assembly bill No. 89, entitled "An act to amend chapter 863 of the Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn and the various amendments thereof,'" is herewith returned without approval.

The object of the bill is to extend the term for which constables in the city of Brooklyn shall be elected, from one to two years. In my opinion these officers should remain as at present, subject to the review of their constituencies at each annual election.

ALONZO B. CORNELL.

Mr. Shanley moved that said bill with a message do lay on the table. Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Rhodes introduced a bill entitled "An act in relation to actions against municipal corporations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Kennedy introduced a bill entitled "An act to amend the charter of the village of Mount Morris," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, "An act to amend an act entitled 'An act supplementary to chapter 273 of the Laws of 1876, entitled 'An act authorizing the incorporation of associations to erect monuments to perpetuate the memory of soldiers who fell in defense of the Union,' passed April 14, 1877,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Curtis introduced a bill entitled "An act to amend an act entitled 'An act to authorize the construction and maintaining a free bridge over the Susquehanna river at Afton, in Chenango county, and for the purchase of the franchise of the existing bridge company, and to borrow money therefor, passed April 27, 1868,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Hayes introduced a bill entitled "An act for the better protection of seamen in the port of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. B. F. Baker presented a petition of citizens of New York in favor of repealing existing exemptions of church and other property from taxation, which was read and referred to the special committee on taxation.

Messrs. Mooers, Youngs and I. S. Carpenter presented petitions in favor of separate institutions for the detention and reformation of con-



victed women, which was read and referred to the committee on State prisons.

Mr. Curtis presented a petition in favor of regulating the manufacturing of cigars in tenement houses, which was read and referred to the committee on trade and manufactures.

Mr. Sherman presented a petition against any alteration of present excise laws, which was read and referred to the committee on internal affairs.

Messrs. Ingersoll and Tuttle presented a petition in favor of a prohibitory liquor law, which was read and referred to the committee on internal affairs.

Mr. C. S. Baker presented a petition in favor of an amendment to the Constitution conferring the right of suffrage upon women, which was read and referred to the committee on the judiciary.

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. Travis (introductory No. 315), entitled "An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Alvord, from the committee on ways and means, to which was referred the several bills relating to taxation and assessments, reported in favor of the adoption of the following resolution:

*Resolved*, That the committee on ways and means be discharged from the further consideration of the following Assembly bills, and that the same be referred to the special committee on taxation.

Bill introduced by Mr. Alvord (introductory No. 285), entitled "An act to amend chapter 13 of part 1 of the Revised Statutes in relation to assessments."

Bill introduced by Mr. Strait (introductory No. 204), entitled "An act to amend section 8 of chapter 176 of the Laws of 1851, entitled 'An act to amend the law for the assessment and collection of taxes.'"

Bill introduced by Mr. C. S. Baker (introductory No. 11), entitled "An act to repeal certain acts and parts of acts exempting persons and property from taxation."

Bill introduced by Mr. Terpeny (introductory No. 385), entitled "An act to authorize the taxation of oyster beds in the bays, rivers and waters of this State, and all floating property connected therewith."

Bill introduced by Mr. Root (introductory No. 104) entitled "An act for the assessment and taxation of all the property in this State and for levying taxes thereon, according to its true value in money."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The privileges of the floor were granted to Hon. Mr. Richardson, member of Congress.

Mr. Peck offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 191, general orders No. 206, entitled "An act to authorize the common council of the city of Ogdensburg to raise money for the purpose of finishing and furnishing additional school rooms of said city," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to

said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Comstock offered for the consideration of the House a resolution in the words following:

*Resolved*, That there be printed for the use of the Secretary of State, in making exchanges, 500 copies of the report of the Secretary of State on Criminal Statistics for the year 1879, and 500 copies of the report of the Secretary of State on the Statistics of Pauperism for the year 1879.

*Ordered*, That said resolution be referred to the committee on public printing.

Mr. Roberts offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill, introductory No. 257, general order 195, entitled "An act to establish a local court of civil jurisdiction in the city of Buffalo, to be called the Municipal Court of Buffalo, and to amend the charter of said city," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Terry offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur). That a respectful message be sent to the Governor requesting the return of Assembly bill No. 203, general order No. 220, entitled "An act to further amend an act entitled 'An act conferring additional corporate powers upon the village of Ellenville,' passed May 5, 1868, and amended by chapter 37 of the Laws of 1873," for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Tozier offered for the consideration of the House a resolution in the words following:

*Resolved*, That Senate bill No. 88, entitled "An act to amend chapter 449 of Laws of 1853, entitled 'An act to amend the act incorporating the village of Attica,' passed May 2, 1837, to alter the bounds and to enlarge the powers of the corporation of said village," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Grosse offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 288, introductory No. 58, entitled "An act to regulate the rate of fare to be charged and collected by persons or corporations operating elevated railroads in the city of New York," be made the special order for Thursday morning next, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Parker introduced a bill entitled "An act to release and convey the interest of the people of the State of New York of, in and to certain real estate situate in the town of Stamford, county of Delaware, State of New York, to Julia E. Stewart," which was read the first

time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Kennedy offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 212, general order No. 229, entitled "An act to amend section 1, chapter 212 of the Laws of 1879, entitled 'An act to provide for the distribution of the acts passed by the Legislature, to town clerk's offices,'" be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to incorporate the American Jersey Cattle Club for improving the breeding of Jersey cattle in the United States."

"An act to amend subdivision 1 of section 9 of article 2, title 4, chapter 6, part 1 of the Revised Statutes, in relation to elections and ballots."

"An act to amend chapter 379 of the Laws of 1879, entitled 'An act prescribing the officers and employees that may be elected, appointed, or employed by the Senate and Assembly, fixing the salary and compensation thereof, and regulating the proceedings of investigating committees, and providing for the payment of the expenses thereof.'"

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Mooers, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Mooers, from said committee, also reported progress on the second and last named bills, and asked and obtained leave to sit again.

Mr. Tozier moved that said last named bill be made a special order for Thursday morning immediately after the special order of the day already ordered.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend chapter 388 of the Laws of 1879, entitled 'An act to amend chapter 549 of the Laws of 1867, entitled 'An act to amend an act passed February 11, 1860, entitled 'An act in relation to the cutting of ice in the Hudson river, providing additional safeguards for travelers and teams and conferring jurisdiction over offenses mentioned in said act.'"

"An act regulating the payment of school moneys apportioned to the several counties of the State."

"An act to repeal chapter 267 of the Laws of 1879, entitled 'An act to amend section 2 of chapter 197 of the Laws of 1847, entitled 'An act authorizing the erection of town houses.'"

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Grosse, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Grosse, from said committee, also reported progress on the second named bill, and asked and obtained leave to sit again.

Mr. Grosse, from said committee, also reported that they have stricken out the title of the third named bill.

Mr. Wren moved to disagree with the report of the committee of the whole on their report on the third named bill.

Mr. Alvord moved to lay the report on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Duguid offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 226, general order No. 243, entitled "An act to authorize the common council of the city of Syracuse to raise and expend money for the purchase of a cemetery," be recommended to the committee on affairs of cities, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Ferris offered for the consideration of the House a resolution in the words following:

*Resolved* That Senate bill No. 22, entitled "An act authorizing the trustees of the 'Pine Ridge Cemetery Association of Sennett' to grant and convey to the city of Auburn certain lands for a public cemetery, be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Root moved that when this House adjourns to-night it be to meet to-morrow morning at 10 o'clock.

Mr. Gorsline moved to amend by striking out "10" and insert half past 10.

Mr. Speaker put the question whether the House would agree to the amendment of Mr. Gorsline, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Root, and it was determined in the negative.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

Senate, "An act to legalize the acts of certain town officers of the town of New Rochelle, and to authorize the issue of bonds by said town."

"An act entitled 'An act to authorize the town of Flushing, in Queens county, to borrow money and issue bonds therefor, for the purpose of paying the indebtedness of said town.'"

"An act to authorize the common council of the city of Ogdensburg to raise money for the purpose of finishing and furnishing additional school rooms of said city."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Bennett, from said committee, reported in favor of the passage of first named bill, which report was agreed to, and the same ordered to a third reading.

Mr. Bennett, from said committee, also reported in favor of the passage of the second and last named bills, which report was agreed to, and said bills ordered engrossed for a third reading.

On motion of Mr. Sheridan, and at 10 o'clock, the House adjourned.

## TUESDAY MORNING, MARCH 2, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Pelham Williams of Troy.

The journal of yesterday was read and approved.

The Senate returned the concurrent resolution providing for the printing of the report of the State Assessors for distribution to the assessors and supervisors for each town and city in the State, with a message that they had concurred in the amendment of the Assembly thereto.

Mr. Speaker presented a communication from the secretary of the New York and Long Island Bridge Company, in response to a resolution of the Assembly, adopted February 11, 1880; which was laid on the table and ordered printed.

(See Doc. No. 67.)

A message from the Senate was received and read, informing of concurrence in the passage of the following bill:

"An act to amend chapter 353 of the Laws of 1878, entitled 'An act in relation to the term of office of the clerk and assistant clerk of the board of supervisors of Kings county, and of the engineers of the county court-house in said county.'"

*Ordered*, That the Clerk deliver said bill to the Governor.

A message from the Senate was received and read, informing of concurrence in the amendments of the Assembly to the bill entitled as follows:

"An act to amend chapter 590 of the Laws of 1865, entitled 'An act to incorporate the Porous Plaster Company of the city of New York.'"

*Ordered*, That the Clerk return said bill to the Senate.

Mr. Morgan introduced a bill entitled "An act to suppress tippling and the drink trade in the county of Allegany, and to amend chapter 628 of the Laws of 1857, entitled 'An act to suppress intemperance and to regulate the sale of intoxicating liquors, so far as the same relates to the county of Allegany,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Beates introduced a bill entitled "An act to abolish the office of crier in the courts of record in the county of Delaware," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. E. A. Carpenter introduced a bill entitled "An act to regulate the sale of certain liquors and to provide for the more effectual collection of excise duties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Potts introduced a bill entitled "An act to exempt the county of Sullivan from so much of the provisions of chapter 20 of part 1 of title 1 of the Revised Statutes, as provides for the appointment of poor-house keepers," which was read the first time, and by unanimous

consent was also read the second time, and referred to the committee on the judiciary.

Mr. Catlin introduced a bill entitled "An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game.'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

The following communication was received and read, from the committee on affairs of cities:

*To the Assembly:*

Your committee on the affairs of cities beg leave to submit the following reports and communications relating to the subject of street cleaning in the city of New York, which have been furnished upon the requisition of the committee, under the powers granted to them by a resolution of the Assembly, viz.:

Circular of the committee making requisition for information upon the subject in detail.

Report of the Comptroller of New York giving a synopsis of the history of street cleaning in New York from 1787 to 1875, and also statement showing cost of cleaning the streets from 1830 to 1880, dated February 28, 1880.

Reports of the commissioners of accounts of the city of New York, dated February 27, 1880, being

1. General statement of expenditures of street cleaning bureau from 1875 to 1879.

2. Condensed statement of expenditures for the same period.

3. Cost of street cleaning during same period compared with cost of removing ashes and garbage.

4. Quantity of street dirt and of ashes and garbage removed, 1875 to 1879, with cost per cart load of each.

5. Miles of streets cleaned, 1875 to 1879, with cost of number of loads of dirt removed.

6. Length of paved streets in New York city.

7. Schedule of property owned by bureau of street cleaning, 24th February, 1880.

8. List of officers, employees, and laborers, with rate of pay.

9. Location of "dumps."

10. Square yards of pavement in New York city, and its character.

Also communication from department of docks of the city of New York.

Also, reports to the board of health as to the condition of the streets in February, 1880, by the sanitary inspectors.

Also, reports to the society for improving the condition of the poor, upon the condition of the streets, March, 1879, and February, 1880.

Communication from the board of health of Philadelphia, as to the street cleaning system in that city.

Communication from the board of health of Boston, as to the street cleaning system in that city.

Communication from the chief engineer of the department of parks, Brooklyn.

Reports of pilot commissioners, as to the dumping of ashes and other garbage in the harbor, viz.:

1. Summary of offenses detected since May, 1878.

2. Extracts from the minutes of board of pilot commissioners from 1873 to date, giving details of offenses.

All of which are respectfully submitted.

JAMES M. VARNUM, *Chairman.*

ALBANY, *March 1, 1880.*

*Ordered,* That the said report be laid on the table, and ordered printed.

(*See Doc. No. 68.*)

A message from the Senate was received and read informing of concurrence in the passage of the following resolutions:

*Resolved,* That a respectful message be sent to the Governor for the return of Assembly bill entitled "An act to further amend an act entitled 'An act conferring additional corporate powers upon the village of Ellenville,' passed May 5, 1868, and amended by chapter 37 of the Laws of 1873."

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor for the return of Assembly bill No. 72, general orders 71, entitled "An act to extend the charter of the Central City railway."

The Senate sent for concurrence the bill entitled as follows:

"An act to amend sections 17 and 18 of article 2, title 9, part 1, chapter 9, of the Revised Statutes, entitled 'Of the canal commissioners and their general powers and duties,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Tozier rose to a question of privilege, and made the following statement:

"The statement that I said I had not been able during my six weeks' study of it to do all the figuring which the railroad people had given me, is not correct. What I did say was that I had received from both parties to the bill, at the last meeting, a statement of the cost of construction, monthly receipts and expenditures, which disagreed very materially, and that I desired time to review them before voting on the bill. I wish also to add another correction to said article, that instead of having six weeks to study the figures that the railroad people had given me, I had been absent from the House in consequence of sickness, and had never met with the committee during the six weeks referred to. The first knowledge that I had of the existence of the five cent fare bill was the last meeting of the committee previous to action being taken on said bill. One word more. I have never indicated by word or action that I was opposed to the passage of the five cent fare bill, but only asked such time to consider it as has been given other members of the committee, having been absent by reason of sickness nearly all of the session."

Pursuant to ninth joint rule, Mr. Speaker announced order of business, third reading of bills.

The bill entitled "An act in relation to receivers of insolvent corporations," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Ingersoll	Sherman
Ash	Curtis	Kennedy	Shuit
Baker, B. F.	Cushing	McAvoy	Skinner
Beach	Davis	McCabe	Slingerland
Beates	Duell	McDonald	Tallmadge
Benedict, T. E.	Duguid	McTernan	Terpeny
Bennett	Ellis	Miller	Thilemann
Bridges	Evans	Mitchell	Titus
Brodsky	Ferris	Mooers	Tozier
Carpenter, E. A.	Fish	Morgan	Travis
Carpenter, I. S.	Fiske	Newman	Treanor
Catlin	Fitzgerald	Nowlan	Tully
Chamberlain	Gibbs	O'Brien	Tuthill, H. H.
Chickering	Gillette	O'Connor	Tuttle, R. M.
Childs	Gorsline	Parker	Varnum
Clancy	Gray	Potts	Warner
Clowes	Griggs	Rhodes	Waterbury
Cohen	Gwinup	Roberts	Wells, D. A.
Comstock	Havens	Root	Wells, J. L.
Congdon	Hoffman	Russell	Wren
Costello	Husted	Sanders	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act allowing husbands and wives to take deeds and other conveyances of lands jointly, and to hold the premises so deeded or conveyed as tenants-in-common," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 75 }  
{ NOES 11 }

Those who voted in the affirmative, were

Alvord	Curtis	Husted	Sanders
Baker, B. F.	Davis	Ingersoll	Shanley
Baker, C. S.	Deane	Kennedy	Sheridan
Beach	Dougherty	Lindsay	Sherman
Beates	Douglass	Low	Shuit
Benedict, E. D.	Duell	McAvoy	Sipp
Bennett	Duguid	McCabe	Skinner
Bradley	Ellis	Miller	Slingerland
Brodsky	Evans	Mooers	Tallmadge
Carpenter, I. S.	Fish	Morgan	Terpeny
Catlin	Fiske	Newman	Titus
Chase	Fitzgerald	Nowlan	Tozier
Chickering	Gibbs	O'Brien	Tully
Clancy	Gillette	Parker	Tuthill, H. H.
Clowes	Gorsline	Peck	Tuttle, R. M.
Cohen	Gray	Pitcher	Waterbury
Comstock	Griggs	Potts	Wells, D. A.
Congdon	Groose	Rhodes	Wells, J. L.
Costello	Hurd	Russell	



Those who voted in the negative, were

Bridges	Cushing	Hoffman	Mitchell
Carpenter E. A.	Gwinup	Hynes	Varnum
Crapser	Havens	McDonald	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. C. S. Baker made a report of the special committee on railroads appointed by the Legislature of the year 1879; which was laid on the table and ordered printed.

(See Doc. No. 66.)

By unanimous consent,

Mr. C. S. Baker introduced a bill entitled "An act in relation to leases by railroad corporations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee of the whole.

By unanimous consent,

Mr. Sanders introduced a bill entitled "An act conferring additional powers upon the trustees of the village of LeRoy," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

The Senate bill entitled "An act to amend the Code of Civil Procedure," being announced for a third reading, on motion of Mr. Brodsky, and by unanimous consent, said bill was amended so as to read in words following:

Section 1. Subdivision 2 of section 1081 of the Code of Civil Procedure is hereby amended so as to read as follows:

2. A practicing physician, surgeon or surgeon dentist having patients requiring his daily professional attention and not following any other calling, and a pharmacist or pharmacist while actually engaged in his profession as a means of livelihood.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 75 }  
{ NOES 17 }

Those who voted in the affirmative, were

Alvord	Costello	Grosse	Russell
Ash	Curtis	Gwinup	Sanders
Baker, B. F.	Cushing	Havens	Shanley
Baker, C. S.	Davis	Hoffman	Sheridan
Beach	Deane	Howland	Sherman
Benedict, E. D.	Dougherty	Hurd	Sipp
Bennett	Duell	Ingersoll	Slingerland
Bradley	Duguid	Kennedy	Tallmadge
Brodsky	Ellis	Lindsay	Terpeny
Bullock	Evans	McCabe	Tozier
Carpenter, I. S.	Ferris	McTernan	Treanor
Chamberlain	Fish	Miller	Tully
Chase	Fiske	Morgan	Varnum
Chickering	Fitzgerald	Newman	Walsh
Clancy	Gibbs	Nowlan	Wells, D. A.
Clowes	Gillette	O'Brien	Wells, J. L.
Cohen	Gorsline	Parker	Wren

Comstock	Gray	Phillips	Younge
Congdon	Griggs	Roberts	

Those who voted in the negative, were

Beates	McDonald	Potts	Travis
Carpenter, E. A.	Mitchell	Rhodes	Tuthill, H. H.
Crapsier	Moors	Root	Tuttle, R. M.
Low	Peck	Skinner	Waterbury
McAvoy			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same, with amendments.

The Senate bill entitled "An act to amend chapter 590 of the Laws of 1872, entitled 'An act to regulate processions and parades in the cities of the State of New York,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 75 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Comstock	Howland	Shanley
Ash	Congdon	Husted	Sherman
Baker, B. F.	Costello	Ingersoll	Sipp
Baker, C. S.	Curtis	Lindsay	Slingerland
Beach	Davis	Low	Tallmadge
Beates	Deane	McAvoy	Terpeny
Benedict, E. D.	Dougherty	McDonald	Titus
Bennett	Duell	Mead	Tozier
Bridges	Duguid	Miller	Travis
Brodsky	Evans	Mitchell	Tuthill, H. H.
Bullock	Ferris	Moors	Tuttle, R. M.
Carpenter, E. A.	Fish	Newman	Varnum
Carpenter, I. S.	Fitzgerald	Nowlan	Walsh
Catlin	Gibbs	O'Brien	Waterbury
Chamberlain	Gorsline	Parker	Wells, D. A.
Chase	Gray	Peck	Wells, J. L.
Chickering	Griggs	Roberts	Wren
Clowes	Grosse	Root	Younge
Cohen	Hoffman	Sanders	

Those who voted in the negative, were

Skinner

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act making appropriations for the support of government," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 95 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Ingersoll	Sheridan
Ash	Cushing	Kennedy	Sherman
Baker, B. F.	Davis	Lindsay	Shuit
Baker, C. S.	Deane	Low	Sipp
Beach	Dougherty	McAvoy	Skinner
Beates	Duell	McCabe	Slingerland
Benedict, E. D.	Duguid	McDonald	Tallmadge
Bennett	Evans	Mead	Terpeny
Bradley	Ferris	Miller	Thilemann
Bridges	Fish	Mitchell	Titus
Brodsky	Fiske	Mooers	Tozier
Bullock	Fitzgerald	Morgan	Travis
Carpenter, E. A.	Gillette	Newman	Treanor
Carpenter, I. S.	Goralline	Nowlan	Tully
Catlin	Gray	O'Brien	Tuthill, H. H.
Chamberlain	Griggs	O'Connor	Van Valkenburgh
Chase	Groose	Parker	Varnum
Chickering	Gwinup	Peck	Walsh
Clancy	Havens	Phillips	Waterbury
Clowes	Hoffman	Potts	Wells, D. A.
Comstock	Howland	Roberts	Wells, J. L.
Congdon	Hurd	Root	Wren
Costello	Husted	Russell	Youngs
Craper	Hynes	Shanley	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to enable the trustees of villages in the county of Richmond to contract for a supply of water to such villages for fire and other public purposes, and to raise and expend money therefor," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Hurd	Shanley
Ash	Craper	Husted	Sheridan
Baker, B. F.	Curtis	Hynes	Sherman
Baker, C. S.	Cushing	Kennedy	Shuit
Beach	Deane	Lindsay	Slingerland
Beates	Dougherty	Low	Tallmadge
Benedict, E. D.	Duguid	McAvoy	Terpeny
Bennett	Ellis	McCabe	Thilemann
Bradley	Evans	Miller	Titus
Bridges	Ferris	Mitchell	Tozier
Brodsky	Fish	Mooers	Travis
Bullock	Fiske	Morgan	Treanor
Carpenter, E. A.	Fitzgerald	Newman	Tully
Carpenter, I. S.	Gibbs	Nowlan	Tuthill, H. H.
Catlin	Gillette	Parker	Van Valkenburgh
Chamberlain	Goralline	Phillips	Warner

Chase	Griggs	Pitcher	Waterbury
Chickering	Grosse	Potts	Wells, D. A.
Childs	Gwinup	Rhodes	Wells, J. L.
Clowes	Hoffman	Roberts	Wiley
Comstock	Howland	Root	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 351 of the Laws of 1874, entitled 'An act to amend chapter 312 of the Laws of 1859, entitled 'An act to equalize the State tax among the several counties in the State, and to amend chapter 327 of the Laws of 1873, amendatory thereof,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Husted	Sheridan
Ash	Costello	Kennedy	Sherman
Baker, B. F.	Curtis	Lindsay	Shuit
Baker, C. S.	Cushing	Low	Sipp
Beach	Deane	McAvoy	Skinner
Beates	Dougherty	McCabe	Slingerland
Benedict, E. D.	Duell	Miller	Tallmadge
Bennett	Duguid	Mitchell	Terpeny
Bradley	Ellis	Mooers	Thilemann
Bridges	Evans	Morgan	Titus
Brodsky	Ferris	Newman	Tozier
Bullock	Fish	Nowlan	Travis
Carpenter, I. S.	Gillette	O'Brien	Tully
Catlin	Gorsline	O'Connor	Tuthill, H. H.
Chamberlain	Gray	Parker	Tuttle, R. M.
Chase	Griggs	Peck	Van Valkenburgh
Chickering	Grosse	Potter	Varnum
Childs	Gwinup	Potts	Warner
Clowes	Hoffman	Roberts	Waterbury
Cohen	Howland	Root	Wells, J. L.
Comstock	Hurd	Sanders	Wiley

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to regulate voting by stock and bondholders of railroad corporations," being announced for a third reading, Mr. Duguid moved to recommit said bill to the committee on railroads, with instructions to amend said bill in words following and report forthwith:

Amend as follows:

Make new section 1 to read as follows:

Section 1. Before entering upon his duties, each inspector of election at a meeting of the stockholders of any railroad company of this State for the purpose of electing directors thereof, or for any other purpose, shall take and subscribe before some officer authorized to administer oaths, an oath or affirmation that he will well and truly do and perform the duties of the office of an inspector at such election

according to the best of his ability, which oath or affirmation shall immediately be filed in the office of the clerk of the county in which such election shall be held, together with a certificate of the result of the vote taken at such meeting or election. Amend numbers of the remaining sections to correspond.

Sec. 2, line 24, strike out the word "shall" and insert in lieu thereof "now offer to"; strike out words "at this election." Line 26, after word "stand" insert "that the proxy under which I now offer to vote was issued to me as the pledgor (or as the person designated by the pledgor) of the stock or bonds therein mentioned."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Skinner, from the committee on railroads, reported said bill back amended as instructed by the House.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 67 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Comstock	Gray	Peck
Ash	Congdon	Griggs	Potts
Baker, C. S.	Costello	Grosse	Roberts
Beach	Crapser	Havens	Sanders
Beates	Deane	Hoffman	Skinner
Benedict, E. D.	Dougherty	Howland	Terpeny
Bradley	Duell	Hurd	Tozier
Bridges	Duguid	Kennedy	Travis
Brodskey	Ellis	McCabe	Tully
Bullock	Evans	McDonald	Tuthill, H. H.
Carpenter, E. A.	Ferris	McTernan	Tuttle, R. M.
Carpenter, I. S.	Fish	Mead	Varnum
Chamberlain	Fiske	Mooers	Waterbury
Chase	Fitzgerald	Morgan	Wells, D. A.
Chickering	Gibbs	Nowlan	Wells, J. L.
Childs	Gillette	O'Brien	Wiley
Clowes	Gorsline	Parker	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Tozier, and by unanimous consent, the committee of the whole was discharged from the further consideration of the Senate bill entitled "An act to amend chapter 449 of Laws of 1853, entitled 'An act to amend the act incorporating the village of Attica,' passed May 2, 1837, to alter the bounds and to enlarge the powers of the corporation of said village," and said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 75 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Clowes	Ingersoll	Sherman
Ash	Comstock	Kennedy	Sipp

Baker, B. F.	Congdon	Low	Skinner
Baker, C. S.	Crapser	McCabe	Slingerland
Beach	Deane	McDonald	Tallmadge
Beates	Duguid	McTernan	Terpeny
Benedict, E. D.	Ellis	Mead	Titus
Bradley	Evans	Miller	Tozier
Bridges	Ferris	Mooers	Travis
Brodsky	Fish	Newman	Tully
Bullock	Fitzgerald	Nowlan	Tuthill, H. H.
Carpenter, E. A.	Gibbs	O'Brien	Tuttle, R. M.
Carpenter, I. S.	Griggs	Parker	Varnum
Catlin	Grosse	Peck	Waterbury
Chamberlain	Gwinup	Phillips	Wells, D. A.
Chase	Havens	Potts	Wells, J. L.
Chickering	Hoffman	Roberts	Wiley
Childs	Howland	Root	Youngs
Clancy	Hurd	Sanders	

Those who voted in the negative, were

Cohen                      Walsh

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act further to amend chapter 147 of the Laws of 1876, entitled 'An act granting to the United States the right to acquire the right of way necessary for the improvement of the Harlem river and Spuyten Duyvil creek from the North river to the East river, through the Harlem Kills and ceding jurisdiction to the same,' as amended by chapter 345 of the Laws of 1879," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 92 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Crapser	Hurd	Root
Ash	Curtis	Husted	Russell
Baker, B. F.	Cushing	Ingersoll	Sanders
Baker, C. S.	Davis	Kennedy	Sheridan
Beach	Deane	Lindsay	Sherman
Beates	Dougherty	Low	Shuit
Benedict, E. D.	Duell	McCabe	Sipp
Bradley	Duguid	McDonald	Skinner
Brodsky	Ellis	McTernan	Slingerland
Bullock	Evans	Mead	Terpeny
Carpenter, E. A.	Ferris	Miller	Titus
Carpenter, I. S.	Fish	Mitchell	Tozier
Catlin	Fiske	Mooers	Travis
Chamberlain	Gibbs	Morgan	Treanor
Chase	Gillette	Nowlan	Tully
Chickering	Gorsline	O'Brien	Tuthill, H. H.
Childs	Gray	O'Connor	Tuttle, R. M.
Clancy	Griggs	Parker	Varnum
Clowes	Grosse	Peck	Walsh
Cohen	Gwinup	Phillips	Waterbury
Cornstock;	Hayes	Pitcher	Wells, J. L.

Congdon  
Costello

Hoffman  
Howland

Potts  
Roberts

Wren  
Youngs

Those who voted in the negative, were  
Fitzgerald

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act to incorporate the American Jersey Cattle Club for improving the breeding of Jersey cattle in the United States."

"An act to amend chapter 388 of the Laws of 1879, entitled 'An act to amend chapter 549 of the Laws of 1867, entitled 'An act to amend an act passed February 11, 1860, entitled 'An act in relation to the cutting of ice in the Hudson river, providing additional safeguards for travelers and teams and conferring jurisdiction over offenses mentioned in said act.'"

"An act entitled 'An act to authorize the town of Flushing, in Queens county, to borrow money and issue bonds therefor, for the purpose of paying the indebtedness of said town.'"

"An act to authorize the common council of the city of Ogdensburg to raise money for the purpose of finishing and furnishing additional school rooms of said city."

The Senate bill entitled "An act to legalize the acts of certain town officers of the town of New Rochelle, and to authorize the issue of bonds by said town," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86  
{ NOES 00 }

Those who voted in the affirmative, were.

Alvord	Crapser	Husted	Shanley
Ash	Cushing	Ingersoll	Sheridan
Baker, B. F.	Davis	Kennedy	Sherman
Baker, C. S.	Deane	Lindsay	Sipp
Beach	Duell	McAvoy	Skinner
Beates	Duguid	McCabe	Slingerland
Benedict, E. D.	Ellis	McDonald	Terpeny
Bradley	Evans	McTernan	Thilemann
Brodsky	Ferris	Mead	Titus
Bullock	Fish	Miller	Tozier
Carpenter, E. A.	Fiske	Mitchell	Travis
Carpenter, I. S.	Gibbs	Nowlan	Tully
Catlin	Gorsline	O'Connor	Tuthill, H. H.
Chamberlain	Gray	Parker	Tuttle, R. M.
Chase	Griggs	Phillips	Varnum
Chickering	Grosse	Pitcher	Warner
Childs	Gwinup	Potts	Waterbury
Clowes	Havens	Rhodes	Wells, J. L.
Cohen	Hayes	Roberts	Wiley
Cornstock	Hoffman	Root	Wren
Congdon	Howland	Russell	Youngs
Costello	Hurd		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to amend section 236 of the Code of Civil Procedure," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Crapser	Kennedy	Shanley
Ash	Curtis	Lindsay	Sheridan
Baker, B. F.	Cushing	Low	Sherman
Baker, C. S.	Duell	McAvoy	Shuit
Beach	Duguid	McCarthy	Sipp
Beates	Ellis	Mead	Skinner
Benedict, E. D.	Evans	Miller	Slingerland
Benedict, T. E.	Ferris	Mitchell	Terpeny
Bennett	Fish	Mooers	Thilemann
Bradley	Fiske	Morgan	Titus
Brodsky	Gibbs	Nowlan	Tozier
Bullock	Gillette	O'Brien	Travis
Carpenter, I. S.	Gorsline	Parker	Tully
Cathin	Gray	Peck	Tuthill, H. H.
Chamberlain	Griggs	Phillips	Tuttle, R. M.
Chickering	Grosse	Pitcher	Warner
Childs	Gwinup	Potts	Waterbury
Clancy	Hoffman	Rhodes	Wells, D. A.
Clowes	Howland	Roberts	Wells, J. L.
Comstock	Hurd	Root	Wren
Congdon	Husted	Sanders	Youngs
Cushing	Ingersoll		

Those who voted in the negative, were

Cohen O'Connor

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Leave of absence was granted to Mr. Cookinham.

The bill entitled "An act to amend section 2 of chapter 917 of the Laws of 1869, entitled 'An act authorizing the consolidation of certain railroad companies,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Ingersoll	Sheridan
Baker, B. F.	Crapser	Kennedy	Sherman
Baker, C. S.	Curtis	Low	Shuit
Beach	Deane	McCabe	Skinner
Beates	Duell	Mead	Slingerland



Benedict, E. D.	Duguid	Miller	Terpeny
Bennett	Ellis	Mitchell	Titus
Bradley	Evans	Mooers	Tozier
Bridges	Ferris	Morgan	Travis
Brodsky	Fish	Nowlan	Tully
Bullock	Gorsline	O'Brien	Tuthill, H. H.
Carpenter, E. A.	Gray	Parker	Tuttle, R. M.
Carpenter, I. S.	Griggs	Peck	Van Valkenburgh
Catlin	Grosse	Phillips	Warner
Chickering	Gwinup	Potts	Waterbury
Childs	Hayes	Rhodes	Wells, D. A.
Clancy	Hoffman	Roberts	Wells, J. L.
Clowes	Howland	Root	Wren
Cohen	Hurd	Russell	Youngs
Comstock	Husted	Shanley	

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to incorporate the American Jersey Cattle Club for improving the breeding of Jersey cattle in the United States," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 76 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Duguid	Kennedy	Shuit
Ash	Ellis	Lindsay	Sipp
Baker, B. F.	Evans	McAvoy	Skinner
Baker, C. S.	Ferris	McTernan	Slingerland
Beach	Fish	Mead	Terpeny
Beates	Fitzgerald	Miller	Titus
Brodsky	Gibbs	Mitchell	Tozier
Bullock	Gorsline	Mooers	Travis
Carpenter, I. S.	Gray	Nowlan	Treanor
Catlin	Griggs	O'Brien	Tully
Chickering	Grosse	O'Connor	Tuthill, H. H.
Clowes	Gwinup	Parker	Tuttle, R. M.
Cohen	Hayes	Phillips	Van Valkenburgh
Congdon	Hoffman	Pitcher	Walsh
Costello	Howland	Rhodes	Warner
Curtis	Hurd	Roberts	Waterbury
Cushing	Husted	Shanley	Wells, D. A.
Dougherty	Hynes	Sheridan	Wren
Duell	Ingersoll	Sherman	Youngs

Those who voted in the negative, were

Chamberlain      Crapser

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the common council of the city of Ogdensburg to raise money for the purpose of finishing and furnishing additional school rooms of said city," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }  
 { NOES 00 }

Those who voted in the affirmative, were /

Alvord	Cushing	Kennedy	Shanley
Baker, C. S.	Dougherty	Lindsay	Sheridan
Beach	Duell	Low	Sherman
Beates	Duguid	McAvoy	Shuit
Bennett	Ellis	McCabe	Sipp
Bradley	Evans	McTernan	Skinner
Bridges	Ferris	Mead	Slingerland
Brodsky	Fish	Miller	Terpeny
Bullock	Fitzgerald	Mitchell	Thilemann
Carpenter, I. S.	Gibbs	Mooers	Titus
Catlin	Gillette	Morgan	Tozier
Chamberlain	Gorsline	Nowlan	Travis
Chickering	Gray	O'Brien	Treanor
Childs	Griggs	O'Connor	Tully
Clowes	Grosse	Parker	Tuthill, H. H.
Cohen	Gwinup	Peck	Tuttle, R. M.
Comstock	Hayes	Phillips	Van Valkenburgh
Congdon	Hoffman	Roberts	Warner
Costello	Howland	Root	Waterbury
Crapser	Husted	Russell	Wells, D. A.
Curtis	Ingersoll	Sanders	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 388 of the Laws of 1879, entitled 'An act to amend chapter 549 of the Laws of 1867, entitled 'An act to amend an act passed February 11, 1860, entitled 'An act in relation to the cutting of ice in the Hudson river, providing additional safeguards for travelers and teams and conferring jurisdiction over offenses mentioned in said act,' " was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
 { NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Husted	Roberts
Ash	Cushing	Ingersoll	Russell
Beach	Deane	Kennedy	Sheridan
Beates	Dougherty	Lindsay	Sherman
Benedict, E. D.	Duell	Low	Shuit
Bennett	Duguid	McAvoy	Skinner
Bradley	Ellis	McTernan	Thilemann
Bridges	Evans	Mead	Titus
Brodsky	Ferris	Miller	Tozier
Carpenter, E. A.	Fish	Mitchell	Travis
Carpenter, I. S.	Fiske	Mooers	Treanor
Catlin	Fitzgerald	Morgan	Tully
Chase	Gillette	Nowlan	Tuthill, H. H.
Chickering	Gray	O'Brien	Tuttle, R. M.
Clowes	Grosse	O'Connor	Warner
Cohen	Havens	Parker	Waterbury
Comstock	Hayes	Phillips	Wells, D. A.

Congdon  
Costello  
Crapser

Hoffman  
Howland  
Hurd

Pitcher  
Rhodes

Wells, J. L.  
Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Duell introduced a bill entitled "An act relating to the care of animals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. VanValkenburgh offered for the consideration of the House a resolution in the words following :

*Resolved*, That Senate bill No. 70, general orders 284, entitled "An act to provide for the appointment of two additional trustees of the Binghamton Asylum for the Chronic Insane, and to make appropriation for such asylum," be considered in the next committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

This being the day assigned, under the rule, for the consideration of general orders,

The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act to amend subdivision 1 of section 9 of article 2, title 4, chapter 6, part 1 of the Revised Statutes, in relation to elections and ballots."

"An act to limit and define the powers of the boards of supervisors of the various counties of this State, in regard to authorizing town officers to borrow money on the credit of the towns."

"An act to establish a local court of civil jurisdiction in the city of Buffalo to be called the municipal court of Buffalo, and to amend the charter of said city."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. I. S. Carpenter, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. I. S. Carpenter, from said committee, also reported that they had stricken out the title of the second named bill, which report was agreed to.

Mr. I. S. Carpenter, from said committee, also reported progress on the last named bill, and asked and obtained leave to sit again.

Mr. Roberts moved to discharge the committee of the whole from the further consideration of said bill, and that said bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

*Ordered*, Engrossed for a third reading.

Privileges of the floor were granted to Hon. Mr. Jackson, former member of this House.

Mr. Slingerland offered the following privileged resolution :

*Resolved*, That Senate bill No. 68, entitled "To promote honest elections," which was substituted for Assembly bill No. 128, general

orders No. 135, be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Speaker announced, on the special committee upon the laws regarding taxation and assessments, Mr. Mitchell, of New York, in place of Mr. Alvord, of Onondaga.

Mr. Travis offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 239, general orders No. 259, entitled "An act to release the interest of the people of the State of New York in and to lands of which Richard Byrd and Joseph Byrd died seized, to Mary S. Bradley," be considered in the next committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative; two-thirds of all the members present voting in favor thereof.

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, March 2, 1880.

*To the Assembly:*

Pursuant to a joint resolution of the Senate and Assembly, the following bills are herewith returned for amendment:

"An act to extend the charter of the Central City Railway Company organized and in pursuance of chapter 483 of the Laws of 1859."

"An act to amend chapter 615 of the Laws of 1868, entitled 'An act conferring additional corporate powers upon the village of Ellen-ville.'"

ALONZO B. CORNELL.

Mr. Alvord moved that said bills, with message, be laid on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Ferris offered for the consideration of the House a resolution in the words following:

*Resolved*, That Senate printed bill No. 23, on general orders No. 188, entitled "An act to authorize the city of Auburn to take by gift, grant, or devise, land in the town of Sennett for a public cemetery, and to provide for care, management and protection of the same," be referred to the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

Senate, "An act authorizing the trustees of the 'Pine Ridge Cemetery Association of Sennett' to grant and convey to the city of Auburn certain lands for a public cemetery."

Senate, "An act to provide for the appointment of two additional trustees of the Binghamton Asylum for the Chronic Insane, and to make an appropriation for such asylum."

"An act to amend section 1 of chapter 212 of the Laws of 1879, entitled 'An act to provide for the distribution of the acts passed by the Legislature to town clerks' offices.'"

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Thilemann, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and the same ordered to a third reading.

Mr. Thilemann, from said committee, also reported in favor of the passage of the last named bill, which report was agreed to, and the same ordered engrossed for a third reading.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

Senate, "An act to authorize the city of Auburn to take by gift, grant, or devise, lands in the town of Sennett for a public cemetery, and to provide for the care, management and protection of the same."

"An act to release the interest of the people of the State of New York in and to lands of which Richard Byrd and Joseph Byrd died seized to Mary S. Bradley."

Senate, "An act to promote honest elections."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Beates, from said committee, reported progress on the first and last named bill, and asked and obtained leave to sit again.

Mr. Beates, from said committee, also reported in favor of the passage of the second named bill, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Ferris moved to discharge the committee of the whole from the further consideration of the first named bill, and that said bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Husted moved to discharge the committee of the whole from the further consideration of the third named bill, and that said bill be ordered to a third reading.

Mr. Husted moved the previous question.

Mr. Speaker put the question "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion Mr. Husted, and it was determined in the affirmative.

Mr. Duguid offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bills Nos. 26 and 27, general order Nos. 24 and 25, entitled, respectively, "An act to amend sections 9 and 28 of chapter 140 of the Laws of 1850, entitled 'An act to authorize the formation of railroad corporations, and to regulate the same.'" And "An act to amend an act entitled 'An act to authorize the formation of railroad corporations, and to regulate the same,' passed April 2, 1850," be made the special order for to-morrow morning, immediately after reading the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Duguid offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bills Nos. 22 and 25, general order Nos.

20 and 23, entitled, respectively, "An act to regulate the transportation of freight by railroad corporations," and "An act to create a board of railroad commissioners, and to define and regulate their powers and duties," be committed to the committee on railroads for a hearing, with instructions to report the same back to this House within one week, and that the same be made a special order for next week Thursday, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The hour of two having arrived, the House adjourned.

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### WEDNESDAY MORNING, MARCH 3, 1880.

The House met pursuant to adjournment.

Prayer by Rev. D. L. Schwartz.

The journal of Tuesday was read and approved.

Privileges of the floor were granted to Hon. James S. T. Stranahan, Hon. John H. Bergen, Hon. Michael Nofton, Hon. P. J. Campbell, Hon. Charles W. Trowbridge and Hon. Mr. Beckwith, former members of this House.

Mr. Speaker announced the special order of the day being bills Nos. 26 and 27, entitled as follows:

"An act to amend sections 9 and 28 of chapter 140 of the Laws of 1850, entitled 'An act to authorize the formation of railroad corporations and to regulate the same.'"

"An act to amend an act entitled 'An act to authorize the formation of railroad corporations, and to regulate the same,' passed April 2, 1850."

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend sections 9 and 28 of chapter 140 of the Laws of 1850, entitled 'An act to authorize the formation of railroad corporations and to regulate the same.'"

"An act to amend an act entitled 'An act to authorize the formation of railroad corporations, and to regulate the same,' passed April 2, 1850."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Kennedy, from said committee, reported in favor of the passage of said bills with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

Privileges of the floor were granted to Hon. John O'Donnell.

Mr. T. E. Benedict moved to take from the table the bill entitled "An act to further amend an act entitled 'An act conferring additional corporate powers upon the village of Ellenville,' passed May 5, 1868, and amended by chapter 37 of the Laws of 1873," with a message of the Governor.

Mr. Speaker put the question whether the House would agree to the motion to take said bill from the table, and it was determined in the affirmative.

Mr. T. E. Benedict moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to

reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 94 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	Ingersoll	Seeley
Baker, C. S.	Davis	Kennedy	Shuit
Beach	Dougherty	Lefever	Sisson
Benedict, E. D.	Douglass	Lindsay	Skinner
Benedict, T. E.	Duell	Low	Slingerland
Bennett	Duguid	McCabe	Steele
Brennan	Ellis	McCarthy	Terpeny
Bridges	Evans	McDonald	Terry
Brodsky	Ferris	McTernan	Thilemann
Bullock	Fish	Miller	Titus
Carpenter, E. A.	Fiske	Mitchell	Tozier
Carpenter, I. S.	Fitzgerald	Mooers	Travis
Case	Gibbs	Morgan	Treanor
Catlin	Gillette	Newman	Tuthill, H. H.
Chamberlain	Gorsline	Nowlan	Tuttle, R. M.
Chase	Gray	O'Brien	Varnum
Chickering	Griggs	Parker	Warner
Clancy	Grosse	Pitcher	Waterbury
Cohen	Gwinup	Potter	Wells, D. A.
Congdon	Havens	Potts	Wells, J. L.
Cookinham	Hoffman	Rhodes	Wiley
Costello	Howland	Root	Wren
Crapser	Husted	Sanders	Youngs
Cullinan	Hynes		

On motion of Mr. T. E. Benedict, and by unanimous consent, said bill was amended in words following:

Section 1, line 3, after the word "sixty-eight" insert "and amended by chapter 37 of the Laws of 1873."

Amend the title, after the word "sixty-eight," by inserting "and amended by chapter 37 of the Laws of 1873."

Said bill, as amended, was then read a third time and passed.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 100 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Lefever	Shuit
Ash	Cushing	Low	Sipp
Baker, B. F.	Davis	McAvoy	Sisson
Baker, C. S.	Dougherty	McCabe	Skinner
Beach	Douglass	McDonald	Slingerland
Benedict, E. D.	Duell	McTernan	Steele
Benedict, T. E.	Duguid	Miller	Strait
Brennan	Evans	Mitchell	Terpeny
Bridges	Fish	Mooers	Terry
Brodsky	Fitzgerald	Newman	Titus

Bullock	Gibbs	Nowlan	Tozier
Carpenter, E. A.	Gillette	O'Brien	Travis
Carpenter, I. S.	Gorsline	O'Connor	Treanor
Case	Gray	Parker	Tully
Catlin	Griggs	Peck	Tuthill, H. H.
Chamberlain	Grosse	Phillips	Tuttle, R. M.
Chase	Gwinup	Potter	Van Valkenburgt.
Childs	Havens	Potts	Varnum
Clowes	Hoffman	Rhodes	Warner
Cohen	Howland	Roberts	Waterbury
Comstock	Hurd	Root	Wells, D. A.
Congdon	Husted	Russell	Wells, J. L.
Cookinham	Hynes	Sanders	Wiley
Costello	Ingersoll	Seeley	Wren
Crapser	Kennedy	Sheridan	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Slingerland introduced a bill entitled "An act to authorize the erection of a public building in the city of Albany for the use of said city and for the use of the county of Albany, and to provide means for the payment therefor and to obtain the necessary site therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Hurd introduced a bill entitled "An act to legalize the official acts of the supervisor of the town of Eden, Erie county, performed instead of commissioners provided for by chapter 907 of the Laws of 1869," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. E. D. Benedict introduced a bill entitled "An act in relation to the concourse at Coney Island, in Kings county, and to authorize the improvement and sale of certain portions thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. C. S. Baker introduced a bill entitled "An act for the better security of the bonds of public officers and others," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Brodsky (by request) introduced a bill entitled "An act to amend section 9 of chapter 545 of the Laws of 1874, entitled 'An act in relation to the marine courts of the city of New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill entitled "An act authorizing the Adjutant-General, the Inspector-General, and the Commissary-General to audit the claim of the 11th Regiment, National Guard of the State of New York, for uniforms and equipments worn out in the United States service during the war," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. J. L. Wells introduced a bill entitled "An act to further amend chapter 379 of the Laws of 1875, entitled 'An act to define and limit the liens of contractors and others upon real estate in the city and county of New York, and to provide for the enforcement thereof,'



passed May 17, 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Mitchell introduced a bill entitled "An act to simplify the proof of the Sanitary Code in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Cookinham introduced a bill entitled "An act to amend section 9, chapter 11, article 1, title 2, part 1 of the Revised Statutes and supplementary thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Phillips introduced a bill entitled "An act to authorize the treasurer of Orleans county to sell property for unpaid taxes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Youngs (by request) introduced a bill entitled "An act relative to the importation of cattle from foreign countries for breeding purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

Mr. Clowes introduced a bill entitled "An act to repeal an act entitled 'An act to create a Metropolitan Sanitary District and a Board of Health therein for the preservation of life and health, and to prevent the spread of disease,' passed February 26, 1866, so far as it relates to the town of Newtown, Queens county, and to provide for the appointment of a board of health in said town and defining its powers and duties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Mr. Clowes introduced a bill entitled "An act relating to the assessment and collection of taxes in Long Island City, Queens county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Chamberlain introduced a bill entitled "An act to regulate the assessment of mortgages and other liens upon real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Tuttle introduced a bill entitled "An act to exempt the town of Erwin, in the county of Steuben, from the provisions of chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State and to prescribe their powers and duties, and from the provisions of chapter 223 of the Laws of 1878, entitled 'An act regulating the term of office of supervisors in the counties of Otsego, Steuben and Livingston,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Lefever introduced a bill entitled "An act to vest certain powers in the Kingston board of education, and to facilitate the collection of taxes in the Kingston school district," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Gwinup introduced a bill entitled "An act to amend 'An act

to provide for the incorporation of exchanges in board of trade, passed May 3, 1877," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

Mr. Catlin introduced a bill entitled 'An act to facilitate the carrying out of plans and agreements for the reorganization of railroads,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Tallmadge introduced a bill entitled "An act to prohibit the erection, construction, maintenance or operation of elevated railways or extensions thereof, in certain streets or avenues in the city of Brooklyn and county of Kings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Privilege of the floor was granted to Hon. Hamilton Fish, Jr., former member of this House.

Mr. Youngs introduced a bill entitled "An act further to amend chapter 386 of Laws of 1865, entitled 'An act for the incorporation of societies or clubs for certain social and recreative purposes,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Husted (introductory No. 631), entitled "An act to provide for the printing of the State canvass," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Alvord (introductory No. 606), entitled "An act supplementary to act chapter 374, Laws of 1878, entitled 'An act to amend chapter 200, Laws of 1874, entitled 'An act to authorize appraisal and sale of leased fine salt lots on the Onondaga Salt Springs reservation, by Commissioners of the Land Office, and to authorize the sale of certain coarse salt lands, the removal of vats therefrom and the purchase of other lands in lieu thereof,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Kennedy (introductory No. 644), entitled "An act to amend an act entitled 'An act supplementary to chapter 273 of the Laws of 1866, entitled 'An act authorizing the incorporation of associations to erect monuments to perpetuate the memory of soldiers who fell in defense of the Union,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Parker (introductory No. 641), entitled "An act to release and convey the interest of the people of the State of New York of, in and to certain real estate situate in the town of Stamford, county of Delaware, State of New York, to Julia E. Stewart," reported in favor of discharging the committee from the further consideration of the bill, and that the same be referred to the committee on petitions of aliens.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 38), entitled "An act to

amend the Code of Civil Procedure," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 29), entitled "An act to prohibit the construction of buildings, of wood or other combustible materials, in a certain portion of the city of New York," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. McDonald (introductory No. 356), entitled "An act to authorize the improvement of the public squares, parks or places in the Fourth avenue, between 67th and 96th streets in the city of New York," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Rhodes (introductory No. 405), entitled "An act to incorporate the Board of Trustees of the Fire Department of the city of Troy," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Clowes (introductory No. 630), entitled "An act relating to certain streets and avenues in Astoria, Long Island City," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Clowes (introductory No. 375), entitled "An act to reduce the width of Riker avenue in Long Island City, in the county of Queens, from 130 feet to 80 feet," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Deane (introductory No. 3), entitled "An act to provide for a public stand or market-place for farmers and market-gardeners in the city of New York, and regulate the same," with some amendments, and title amended to read as follows: "An act to provide for the enlargement of the public stand or market-place for farmers and market-gardeners established in the city of New York by the common council of said city for the acquisition of lands for this purpose, and for the regulation of the same," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Hayes (introductory No. 558), entitled "An act for the relief of persons who performed the duties of clerks and assistant clerks of the district courts of the city of New York in the year 1876," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Terpeny (introductory No. 608),

entitled "An act to provide for the revision and correction of certain assessments for local improvements in the city of New York," reported said bill for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Varnum, said bill was recommitted to the committee on affairs of cities, when printed, retaining its place on general orders.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Tallmadge (introductory No. 587), entitled "An act in relation to certain unpaid taxes and assessments in the city of Brooklyn," reported said bill for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Varnum, said bill was recommitted to the committee on affairs of cities, when printed, retaining its place on general orders.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Russell (introductory No. 65), entitled "An act to amend chapter 863 of the Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn,' passed June 28, 1873," reported adversely thereto, which report was agreed to.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Shanley (introductory No. 350), entitled "An act to amend chapter 863 of the Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn,' passed June 28, 1873," reported adversely thereto, which report was agreed to.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Newman (introductory No. 97), entitled "An act to authorize the sale of certain portions of the lands of Prospect Park in the city of Brooklyn," reported adversely thereto.

Mr. Newman moved to disagree with the report of said committee, and that said bill be referred to the committee of the whole.

Mr. Varnum moved the previous question.

Mr. Speaker put the question "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Newman, and it was determined in the negative

{ AYES 34 }  
{ NOES 69 }

Those who voted in the affirmative, were

Benedict, E. D.	Dougherty	McDonald	Strait
Benedict, T. E.	Ellis	Mead	Thilemann
Bennett	Fitzgerald	Newman	Tormey
Bullock	Grosse	O'Connor	Travis
Catlin	Gwinup	Parker	Treanor
Clancy	Havens	Rhodes	Tully
Cohen	Hoffman	Shanley	Walsh
Costello	McAvoy	Sheridan	Wiley
Cushing	McCarthy		

Those who voted in the negative, were

Alvord	Cullinan	Low	Sipp
Ash	Curtis	McCabe	Sisson
Baker, C. S.	Davis	Miller	Skinner
Beach	Douglass	Mitchell	Slingerland

Beates	Duell	Moors	Steele
Bradley	Duguid	Morgan	Tallmadge
Brennan	Evans	Nowlan	Terry
Bridges	Fish	O'Brien	Tozier
Carpenter, E. A.	Fiske	Peck	Tuthill, H. H.
Carpenter, I. S.	Gorsline	Phillips	Tuttle, R. M.
Chamberlain	Gray	Potter	Van Valkenburgh
Chickering	Griggs	Potts	Varnum
Clark	Hurd	Roberts	Warner
Comstock	Husted	Root	Waterbury
Congdon	Ingersoll	Sanders	Wells, D. A.
Cookinham	Lefever	Seeley	Wren
Crapser	Lindsay	Sherman	Youngs

Mr. Speaker then put the question whether the House would agree to said report, and it was determined in the affirmative.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Clowes (introductory No. 335), entitled "An act to limit the salaries of the aldermen of Long Island City," reported adversely thereto, which report was agreed to.

The Private Secretary of the Governor appeared before the bar of the House and presented a message in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, {  
ALBANY, March 3, 1880. }

*To the Assembly:*

Assembly bill No. 19, entitled "An act to amend chapter 686 of the Laws of 1872, entitled 'An act to amend an act entitled 'An act to erect the village of Middleburgh into a separate road district, and the several acts amendatory thereof,'" is herewith returned without my approval.

Section 18 of article 3 of the Constitution, and the laws passed in pursuance thereof, give the boards of supervisors full jurisdiction over the subject of road districts. It is believed, therefore, that this bill is quite unnecessary, if not actually in conflict with the constitutional provisions on the subject.

ALONZO B. CORNELL

On motion of Mr. Shanley said bill with message was laid on the table.

Privileges of the floor were granted to Hon. George M. Case and Hon. Charles McClean, former members of this House.

Mr. Duguid, from the committee on commerce and navigation, to which was referred the Senate bill (introductory No. 49), entitled "An act to amend chapter 857 of the Laws of 1872, entitled 'An act to amend an act entitled 'An act to incorporate the Poughkeepsie Bridge Company for the purpose of constructing and maintaining a bridge, appurtenances and approaches to the same over the Hudson river, at a point or points between the city of Poughkeepsie and the town of Lloyd, Ulster county, on said river, passed May 10, 1872,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Pitcher moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be read a third time.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Husted	Sheridan
Ash	Curtis	Hynes	Sherman
Baker, B. F.	Cushing	Lefever	Sisson
Baker, C. S.	Davis	McAvoy	Skinner
Beach	Deane	McCabe	Slingerland
Beates	Dougherty	McDonald	Strait
Benedict, E. D.	Douglass	Miller	Tallmadge
Bradley	Duell	Mooers	Terpeny
Brennan	Duguid	Morgan	Terry
Bridges	Ellis	Nowlan	Titus
Brodsky	Evans	O'Brien	Tozier
Bullock	Ferris	O'Connor	Travis
Carpenter, E. A.	Fish	Parker	Tuthill, H. H.
Carpenter, I. S.	Gibbs	Peck	Tuttle, R. M.
Case	Gorsline	Phillips	Van Valkenburgh
Catlin	Gray	Potter	Varnum
Chase	Griggs	Potts	Warner
Chickering	Grosse	Rhodes	Waterbury
Childs	Gwinup	Roberts	Wells, J. L.
Comstock	Hayes	Root	Wiley
Congdon	Hoffman	Russell	Wren
Cookinham	Howland	Sanders	Youngs
Costello	Hurd		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act to amend subdivision 1 of section 9 of article 2, title 4, chapter 6, part 1 of the Revised Statutes, in relation to elections and ballots."

"An act to amend section 1 of chapter 212 of the Laws of 1879, entitled 'An act to provide for the distribution of the acts passed by the Legislature to town clerk's offices.'"

"An act to release the interest of the people of the State of New York in and to lands of which Richard Byrd and Joseph Byrd died seized to Mary S. Bradley."

Mr. Van Valkenburgh, from the committee on banks, to which was referred the bill introduced by Mr. Case (introductory No. 398), entitled "An act to amend chapter 256 of the Laws of 1877, entitled 'An act to conform the charters of all savings banks or institutions for savings, to a conformity of powers, rights and liabilities, and to provide for the organization of savings banks for their supervision and for the administration of their affairs,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Van Valkenburgh, from the committee on banks, to which was referred the bill introduced by Mr. Duell (introductory No. 524), entitled "An act to provide for the compilation and revision of the Laws

of the State of New York affecting banks, banking and trust companies," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Clowes (introductory No. 484), entitled "An act creating a board of town auditors in the town of Newtown, Queens county, and prescribing their powers and duties," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Chamberlain (introductory No. 581), entitled "An act to authorize the town of Madrid, in the county of St. Lawrence, to borrow money for the completion of the water-works in the village of Madrid, and for other purposes," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Howland, from the committee on manufacture of salt, to which was referred the bill introduced by Mr. Howland (introductory No. 628), entitled "An act concerning the manufacture of salt and the inspection thereof," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

The Senate returned the Assembly bill entitled "An act conferring upon the Board of Canal Appraisers the power to allow amendments to claims," with a message that they have concurred in the passage of the same with the following amendments:

Section 1, lines 3 and 4, strike out "*or hereafter.*"

Add at the end of section 1 the following: "Nor shall any thing herein contained authorize any amendments the effect of which shall be to revive any claim, or any part of a claim, barred by the provisions of chapter 321 of the Laws of 1870."

Mr. Terry moved to non-concur in the amendments of the Senate, and that a conference committee be appointed on the part of the House and request a like committee on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate sent for concurrence a resolution in the words following:

*Resolved* (if the Assembly concur), That a respectful message be sent to the Governor requesting the return of Senate bill, introductory No. 261, entitled "An act to amend chapter 777 of the Laws of 1870, entitled 'An act to incorporate the village of Walden, in the county of Orange,' for amendment."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Terry offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 281, general orders No. 304, entitled "An act to incorporate an exchange salesroom in the city of New York, and to designate the place for judicial sales of real estate in the said city," be recommitted to the committee on the judiciary, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate sent for concurrence the bill entitled "An act to con-

firm the proceedings of the board of trustees of the village of Attica relating to the sale and purchase of real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Newman offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That 1,000 extra copies of the report of the Superintendent of State Prisons be printed and bound in cloth for the use of the Superintendent.

*Ordered*, That said resolution be referred to the committee on public printing.

The Senate returned Assembly bill entitled "An act to abolish the use of weigh-locks on the canals," with a message that they have concurred in the passage of the same with the following amendments:

Strike out all of section 1, and insert in lieu thereof the following:

Section 1. The Canal Board may in their discretion discontinue the use of and remove any or all of the weigh-locks of the canals of this State.

Amend the title so as to read as follows:

"An act to authorize the Canal Board to abolish the use of weigh-locks on the canals."

Mr. Hurd moved to non-concur in the amendments of the Senate, and that a conference committee be appointed on the part of the House, and request a like committee on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate sent for concurrence the bills entitled as follows:

"An act to provide for the review and correction of illegal, erroneous or unequal assessment," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act in relation to the enlargement of the bridge across the Erie canal at Fultonville," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act authorizing the construction of a bridge over the Erie canal at Kent street, in the village of Palmyra," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to amend chapter 461 of the Laws of 1877, entitled 'An act to confer the powers of harbor masters on the police patrolmen detailed to certain docks and piers in said city, by the board of commissioners of police and excise of the city of Brooklyn,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to authorize the Buffalo City Cemetery Association to acquire additional land and to erect a building for office purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to regulate the dispensing and sale of poisons within this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to secure the registration of the births of children of resi-



dents of the city of New York, occurring during the temporary absence from such city of the parents of such children and respecting transcripts of the records," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Bridges, from the committee on public printing, to which was referred the Senate resolution to print extra copies of the annual report of the New York Institution for the Improved Instruction of Deaf Mutes, reported in favor of concurring in the adoption of the following resolution:

*Resolved* (if the Assembly concur), That 500 copies of the Thirteenth Annual Report of the New York Institution for the Improved Instruction of Deaf Mutes, be printed for the use of the institution.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Bridges, from the committee on public printing, to which was referred the Senate resolution to print extra copies of the annual report of the State Lunatic Asylum, at Utica, reported in favor of concurring in the adoption of the following resolution:

*Resolved* (if the Assembly concur), That 2,500 copies of the annual report of the State Lunatic Asylum, at Utica, be printed for the use of the asylum.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Bridges, from the committee on public printing, to which was referred the Senate resolution to print extra copies of the annual report of the Managers of the Hudson River Hospital, reported in favor of concurring in the adoption of the following resolution:

*Resolved* (if the Assembly concur), That 250 copies of the annual report of the managers of the Hudson River Hospital, be printed, with paper covers, for the use of said hospital.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Bridges, from the committee on public printing, to which was referred the Senate resolution to print extra copies of the annual report of the Canal Appraisers, reported in favor of concurring in the adoption of the following resolution:

*Resolved* (if the Assembly concur), That 250 copies of the annual report of the Canal Appraisers be printed, with paper covers, for the use of the Appraisers.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Bridges, from the committee on public printing, to which was referred the Senate resolution to print extra copies of the annual report of the Elmira Reformatory, for the year 1878, reported in favor of concurring in the adoption of the following resolution :

*Resolved* (if the Assembly concur), That 500 copies of the annual report of the Elmira Reformatory for the year 1878 be printed for the use of such reformatory, and bound in paper covers.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate returned the bill entitled "An act to amend section 3 of chapter 110 of the Laws of 1876, entitled 'An act supplemental to chapter 60 of the Laws of 1813, entitled 'An act to provide for the incorporation of religious societies, and of the several acts amendatory thereof, with a message that they have concurred in the passage of the same with the following amendments :

Section 1, line 10, after "*church*," insert "*parish*." Same line, after "*or*" insert "*religious*."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 68 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Comstock	Lindsay	Skinner
Baker, C. S.	Congdon	Low	Slingerland
Beach	Cookinham	McCabe	Steele
Beates	Costello	Mead	Terpeny
Benedict, T. E.	Crafts	Miller	Titus
Bradley	Crapser	Mitchell	Tozier
Bridges	Curtis	Mooers	Travis
Brodsky	Davis	Morgan	Tully
Bullock	Douglass	Nowlan	Tuthill, H. H.
Carpenter, E. A.	Ellis	Peck	Tuttle, R. M.
Carpenter, I. S.	Ferris	Phillips	Varnum
Case	Gorsline	Potts	Warner
Catlin	Gray	Rhodes	Waterbury
Chamberlain	Grosse	Roberts	Wells, D. A.
Chase	Hayes	Russell	Wells, J. L.
Childs	Hurd	Seeley	Wren
Clowes	Lefever	Shuit	Youngs

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

Mr. Speaker presented the annual report of the State Engineer and Surveyor; which was laid on the table and ordered printed.

(See Doc. No. 75.)

Also, the Sixteenth Annual Report of the Homœopathic Medical Society of the State of New York, for the year 1880; which was laid on the table and ordered printed.

(See Doc. No. 72.)

The Senate returned the bill entitled "An act conferring additional

powers upon the board of supervisors of the county of Niagara, relative to expenses for the support of the poor," with a message that they have concurred in the passage of the same without amendment.

*Ordered*, That the Clerk deliver said bill to the Governor.

Messrs. Bullock, Case, Van Valkenburgh, Mitchell, Youngs, Russell, Miller, Ellis, Phillips, Steele, Tuthill, Beates, Carpenter, Titus, Lefever, Husted, presented petitions asking for a constitutional amendment to prohibit the manufacture and sale of intoxicating liquors, which were read and referred to the committee on internal affairs.

Messrs. McCarthy, Grosse, Wells, Sheridan, Brodsky, Cohen and Costello presented petitions in favor of Assembly bill No. 111, entitled "An act to improve the public health by regulating the manufacture of cigars in tenement houses in the cities of New York and Brooklyn," which were read and referred to the committee on trade and manufactures.

Mr. Wren presented a petition asking for the passage of the bill for Children's Park in Brooklyn; which was read and referred to the committee on affairs of cities.

Mr. Hoffman presented a petition of citizens of Chenango county, asking to be relieved from the operation of the town auditor's act; which was read and referred to the committee on general laws.

Mr. Bridges presented a petition of citizens of Otsego county for an appropriation to build an armory at Oneonta, in said county; which was read and referred to the committee on ways and means.

Mr. Youngs presented a petition in favor of an act to provide additional facilities for the sale of garden produce; which was read and referred to the committee on affairs of cities.

Mr. Speaker presented a petition of citizens of Syracuse in favor of the bill in relation to State Board of Charities; which was read and referred to the committee on State charitable institutions.

Mr. Youngs presented a petition in reference to the taxation of personal property; which was read and referred to the special committee on taxation.

Mr. Fiske presented a memorial for the enfranchisement of women; which was read and referred to the committee on the judiciary.

Mr. Youngs presented a petition opposed to a special commission to investigate State lunatic asylums; which was read and referred to the committee on State charitable institutions.

Mr. Miller presented a petition asking for a law giving to women the right to vote upon the license question; which was read and referred to the committee on internal affairs.

Messrs. Curtis, Potts and Beates presented petitions soliciting the passage of a law for the assessment and taxation of railroad bonds, in the counties and towns where issued; which were read and referred to the special committee on taxation.

Messrs. Catlin and J. L. Wells presented petitions asking for reduction of fare on the New York and Harlem Railroad; which were read and referred to the committee on railroads.

Mr. Curtis presented a petition for the passage of an act amending chapter 339 of the Laws of 1868; which was read and referred to the committee on roads and bridges.

Mr. Skinner presented a petition of citizens of Jefferson county in reference to official salaries, assessment and taxation and railroad dis-

crimination ; which was read and referred to the committee on ways and means.

Mr. Potts presented a petition asking the compilation and publication, by the State, of a series of text-books for the use of the common schools; which was read and referred to the committee on public education.

Mr. Husted presented a petition protesting against any change in the present excise laws; which was read and referred to the committee on internal affairs.

Mr. Nowlan presented a petition of members of the medical profession asking for an act establishing a State board of health; which was read and referred to the committee on public health.

The hour of 2 having arrived, the House adjourned.

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### THURSDAY MORNING, MARCH 4, 1880.

The House met pursuant to adjournment.

Prayer by Rev. R. D. Williamson, of Troy.

The journal of yesterday was read and approved.

Mr. Childs offered for the consideration of the House the following privileged resolution :

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor requesting the return of Assembly bill No. 391, entitled "An act in relation to the appointment of Stanley M. Bieroe as a notary public," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Privileges of the floor were granted to Hon. John Lyons, former member of this House.

Mr. Speaker announced the special order of the day, being the bills entitled as follows :

"An act to regulate the rate of fare to be charged and collected by persons or corporations operating elevated railroads in the city of New York."

"An act to amend chapter 379 of the Laws of 1879, entitled 'An act prescribing the officers and employees that may be elected, appointed or employed by the Senate and Assembly, fixing the salary and compensation thereof, and regulating the proceedings of investigating committees, and providing for the payment of the expenses thereof.'"

The House then resolved itself into a committee of the whole upon said bills, and after some time spent therein, Mr. Speaker resumed the chair.

The Private Secretary of the Governor appeared in the Assembly Chamber, and presented a message in the words following :

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, March 4, 1880.

*To the Assembly :*

Assembly bill No. 38, entitled "An act to amend chapter 353 of the Laws of 1878, entitled 'An act in relation to the term of office of clerk and assistant clerk of the board of supervisors of Kings county,

and of the engineers of the county court-house in said county," is herewith returned without approval.

Existing laws confer upon the board of supervisors all requisite power for the employment of persons for the transaction of necessary business. This bill arbitrarily directs the supervisors of Kings county to elect an additional clerk and messenger. In my opinion it ought not to become a law.

#### ALONZO B. CORNELL

Mr. Tallmadge moved to lay said bill with message on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to regulate the rate of fare to be charged and collected by persons or corporations operating elevated railroads in the city of New York."

"An act to amend chapter 379 of the Laws of 1879, entitled 'An act prescribing the officers and employees that may be elected, appointed or employed by the Senate and Assembly, fixing the salary and compensation thereof, and regulating the proceedings of investigating committees, and providing for the payment of the expenses thereof.'"

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Titus, from said committee, reported progress on said bills, and asked and obtained leave to sit again.

Mr. Skinner moved to discharge the committee of the whole from the further consideration of the first named bill, and that the same be ordered to a third reading.

Mr. Alvord moved, on behalf of Mr. Bradley, to amend said bill at the end of section 1, in words following: "between the hours of 5 and 9 o'clock in the forenoon, and the hours of 4 and 8 o'clock in the afternoon." Said amendment having been offered in the committee of the whole.

Mr. Grosse moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question on the amendment offered by Mr. Alvord, and it was determined in the negative.

Mr. Skinner then put the question on the motion of Mr. Skinner, and it was determined in the affirmative.

*Ordered*, That said bill be engrossed for a third reading.

Mr. Tozier moved that said second named bill be made a special order for Tuesday morning next, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

A message from the Senate was received and read, informing of concurrence in the passage of the bills entitled as follows:

"An act to amend chapter 615 of the Laws of 1868, and amended by chapter 37 of the Laws of 1873, entitled 'An act conferring additional corporate powers upon the village of Ellenville.'"

"An act to authorize the common council of the city of Ogdensburg to raise money for the purpose of finishing and furnishing additional school rooms of said city."

*Ordered*, That the Clerk deliver said bills to the Governor.

Mr. Speaker presented certified copies of the toll sheet for the year 1880, in words following :

### RATES OF TOLL—1880.

ESTABLISHED BY THE CANAL BOARD, ON PERSONS AND PROPERTY TRANSPORTED ON THE BLACK RIVER CANAL, TO TAKE EFFECT ON THE OPENING OF NAVIGATION.

[Toll is to be computed upon the weight ("1,000 pounds per mile") of all articles contained in the following list, unless otherwise stated opposite to the articles excepted.]

	cts.	m.	fr.
Boats .....	Free.		

#### THE FOREST.

Fur and peltry .....	Free.
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#### *Product of Wood.*

Ashes, pot and pearl.....	0	0	5
Ashes, leached.....	Free.		
Lath, per M per mile.....	0	0	1
Lath, per 1,000 pounds per mile.....	0	3	0
Staves, heading, etc .....	0	3	0
Shingles, per M per mile.....	0	0	1½
Shingles, per 1,000 pounds .....	0	0	5

#### *Wood for Fuel.*

Slab wood, per cord.....	0	1	0
Cord wood, per cord.....	0	2	0

Lumber No. 1.\*— By weight, per 1,000 pounds per mile :

White pine, white-wood, bass-wood, cedar, boards, planks, scantling, and all sidings and other sawed stuff, less than one inch thick (except such as is enumerated in <i>Lumber No. 3</i> ).....	0	3	0
Oak, hickory, beech, sycamore, black walnut, butternut, maple, ash, elm, fir, tamarack, yew and cherry.....	0	3	0
Hemlock and spruce .....	0	3	0

Lumber No. 2.\*— By measurement, per 1,000 feet per mile :


Boards, planks, scantling, railroad ties, pickets for fences, and sawed timber, siding and other sawed stuff, less than one inch thick, reduced to inch measure (except such as is enumerated in <i>Lumber No. 3</i> ) ; and all kinds of red cedar, cedar posts, estimated that a cord, after deducting for openings, will contain 1,000 feet.....	0	4	0
Hemlock and spruce, per 1,000 feet per mile .....	0	4	0

Lumber No. 3.\*— By weight, per 1,000 pounds per mile :

Hoop poles, hand spikes, rowing oars, broom handles, spokes, hubs, treenails, fellies, boat and ship knees, plane stocks, pickets for fences, railroad ties, last blocks, stuff (manufactured or partly manufactured)

cts. m. fr.

for boxes, chairs and bedsteads, hop poles, brush handles, brush backs, looking-glass backs, gun stocks, plow beams and plow handles.....	0	3	0
Sawed stuff for window blinds, not exceeding one-fourth of an inch in thickness.....	0	7	0

 \*LUMBER shall not be cleared by measurement when carried in a boat having other articles on board paying toll by WEIGHT, but such lumber shall in all cases be also cleared by weight.

When a cargo is composed entirely of lumber, which can be cleared by weight or measure, the whole of such cargo shall be cleared by measurement or by weight, as the shipper or master may elect, and in no case shall a portion of any such cargo be cleared by measurement and the other portion by weight.

Tan bark, per cord, per mile .....	0	5	0
Timber.*—Squared and round, transported in rafts, per 100 cubic feet .....	1	5	0

### AGRICULTURE.

#### *Product of Animals.*


Pork .....	Free.
Beef .....	Free.
Bacon .....	Free.
Cheese .....	Free.
Butter.....	Free.
Lard, tallow and lard oil.....	Free.
Wool .....	Free.
Hides .....	0 1 0

#### *Vegetable Food.*

Flour .....	Free.
Wheat .....	0 0 5
Rye .....	0 0 5
Corn.....	0 1 0
Corn meal.....	0 1 0
Barley .....	0 0 5
Barley malt .....	0 0 5
Oats.....	0 0 5
Bran and ship stuffs.....	0 0 5
Peas and beans.....	0 0 5
Apples.....	0 0 5
Potatoes .....	0 3 0

#### *All Other Agricultural Products.*

Dried fruit.....	Free.
Cotton .....	Free.
Unmanufactured tobacco .....	Free.
Hemp .....	Free.
Clover and grass seed.....	Free.
Flax seed.....	Free.
Hops .....	Free.

 \* In the measurement of timber, bark adhering to the wood and refuse stuff are to be estimated as forming part of the timber, and to be rated accordingly.

# MANUFACTURES.

	cts.	m.	fr.
Domestic spirits.....	Free.		
Oil meal and cake.....	Free.		
Leather.....	0	1	0
Furniture.....	0	0	0
Bar and pig lead.....	Free.		5
Pig iron.....	0	0	5
Bloom and bar iron.....	0	0	5
Castings and iron ware.....	0	0	5
Domestic woollens.....	Free.		
Domestic cottons.....	Free.		
Domestic salt.....	0	0	5
Foreign salt.....	0	2	5

# MERCHANDISE.

Sugar.....	0	0	5
Molasses.....	0	0	5
Coffee.....	Free.		
Nails, spikes and horse shoes.....	0	0	5
Iron and steel.....	0	0	5
Railroad iron.....	0	0	5
Flint enamel, crockery, glassware.....	0	0	5
All other merchandise.....	0	0	5

# Other Articles.

Live cattle, hogs and sheep.....	Free.		
Stone, lime and clay.....	0	0	5
Gypsum.....	0	0	5
Anthracite coal.....	0	0	1½
Bituminous coal.....	0	0	1½
Copper ore.....	0	0	5
Iron ore.....	0	0	2½
Petroleum or earth oil, crude and refined.....	0	0	2½
Articles not specified.....	0	0	5

# RATES OF TOLL — 1880.

ESTABLISHED BY THE CANAL BOARD, ON PERSONS AND PROPERTY TRANSPORTED ON THE ERIE, CHAMPLAIN, OSWEGO, AND THE CAYUGA AND SENECA CANALS, TO TAKE EFFECT ON THE OPENING OF NAVIGATION.

[Toll is to be computed upon the weight ("1,000 pounds per mile") of all articles contained in the following list, unless otherwise stated, opposite to the articles excepted.

	TOWARDS TIDE.			FROM TIDE.		
	cts.	m.	fr.	cts.	m.	fr.
Boats.....	Free.			Free.		

# THE FOREST.

Fur and peltry.....	Free.			Free.		
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*Product of Wood.*

	TOWARDS TIDE.			FROM TIDE.		
	cts.	m.	fr.	cts.	m.	fr.
Ashes, pot and pearl.....	0	0	5	0	0	2½
Ashes, leached.....	Free.			Free.		
Lath, per M per mile.....	0	0	1	0	0	1
Lath, per 1,000 pounds per mile.....	0	0	7½	0	0	7½
Staves, heading, etc.....	0	0	5	0	0	5
Shingles, per M per mile.....	0	0	1½	0	0	1½
Shingles, per 1,000 pounds.....	0	0	5	0	0	5

*Wood for Fuel.*

Slab wood, per cord.....	0	1	0	0	1	0
Cord wood, per cord.....	0	2	0	0	2	0
Lumber No. 1.* By weight, per 1,000 pounds per mile :						

White pine, white-wood, bass-wood, cedar, boards, planks, scantling, and all sidings and other sawed stuff, less than one inch thick (except such as is enumerated in *Lumber No. 3*).....

0 0 7½ 0 0 7½

Oak, hickory, beech, sycamore, black walnut, butternut, maple, ash, elm, fir, tamarack, yew and cherry.....

0 0 5 0 0 5

Hemlock and spruce.....

0 0 3½ 0 0 3½

Lumber No. 2.\*— By measurement, per 1,000 feet per mile :

Boards, planks, scantling, railroad ties, pickets for fences, and sawed timber, siding and other sawed stuff, less than one inch thick, reduced to inch measure (except such as is enumerated in *Lumber No. 3*) ; and all kinds of red cedar, cedar posts, estimated that a cord, after deducting for openings, will contain 1,000 feet, Hemlock and spruce, per 1,000 feet per mile.....

0 1 5 0 1 5

0 1 0 0 1 0

Lumber No. 3.\*— By weight, per 1,000 pounds per mile :

Hoop poles, hand spikes, rowing oars, broom handles, spokes, hubs, treenails, fellies, boat and ship knees, lane stocks, pickets for fences, railroad ties, last blocks, stuff (manufactured or partly manufactured) for boxes, chairs and bedsteads, hop poles, brush handles, brush backs, looking-glass backs, gun stocks, plow beams and plow handles.....

0 0 7½ 0 0 7½

Sawed stuff for window blinds, not exceeding one-fourth of an inch in thickness,

0 2 0 0 2 0

\* LUMBER shall not be cleared by measurement when carried in a boat having other articles on board

\* In the measurement of timber, bark adhering to the wood and refuse stuff are to be estimated as forming part of the timber, and to be rated accordingly.

TOWARDS TIDE. FROM TIDE.  
cts. m. fr. cts. m. fr.

paying toll by WEIGHT, but such lumber shall in all cases be also cleared by weight

When a cargo is composed entirely of lumber, which can be cleared by weight or measure, the whole of such cargo shall be cleared by measurement or by weight, as the shipper or master may elect, and in no case shall a portion of any such cargo be cleared by measurement and the other portion by weight.

Timber.\*—Squared and round, transported in rafts, per 100 cubic feet..... 0 5 0 0 5 0

### AGRICULTURE.

#### *Product of Animals.*

Pork .....	Free.	Free.
Beef .....	Free.	Free.
Bacon .....	Free.	Free.
Cheese .....	Free.	Free.
Butter .....	Free.	Free.
Lard, tallow and lard oil .....	Free.	Free.
Wool .....	Free.	Free.
Hides .....	0 0 5	0 0 2½

#### *Vegetable Food.*

Flour .....	Free.	Free.
Wheat .....	0 0 5	0 0 2½
Rye .....	0 0 5	0 0 2½
Corn .....	0 0 5	0 0 2½
Corn meal .....	Free.	Free.
Barley .....	0 0 5	0 0 2½
Barley malt .....	0 0 5	0 0 2½
Oats .....	0 0 5	0 0 2½
Bran and ship stuffs .....	0 0 5	0 0 2½
Peas and beans .....	0 0 5	0 0 2½
Apples .....	0 0 5	0 0 2½
Potatoes .....	0 0 5	0 0 2½
Dried fruit .....	Free.	Free.

#### *All Other Agricultural Products.*

Cotton .....	Free.	Free.
Unmanufactured tobacco .....	Free.	Free.
Hemp .....	Free.	Free.
Clover and grass seed .....	Free.	Free.
Flax seed .....	Free.	Free.
Hops .....	Free.	Free.

### MANUFACTURES.

Domestic spirits .....	Free.	Free.
Oil meal and cake .....	Free.	Free.
Leather .....	Free.	Free.
Furniture .....	0 0 5	0 0 2½
Bar and pig lead .....	Free.	Free.
Pig iron .....	0 5	0 0 2½
Bloom and bar iron .....	0 0 5	0 0 2½
Castings and iron ware .....	0 0 5	0 0 2½
Domestic woolens .....	Free.	Free.

	TOWARDS TIDE.			FROM TIDE.		
	cts.	m.	fr.	cts.	m.	fr.
Domestic cottons.....	Free.			Free.		
Domestic salt.....	0	0	5	0	0	5
Foreign salt.....	0	1	0	0	1	0

## MERCHANDISE.

Sugar .....	0	0	5	0	0	2½
Molasses .....	0	0	5	0	0	2½
Coffee .....	Free.			Free.		
Nails, spikes and horse shoes .....	0	0	5	0	0	2½
Iron and steel .....	0	0	5	0	0	2½
Railroad iron.....	0	0	5	0	0	2½
Flint enamel, crockery and glassware....	0	0	5	0	0	2½
All other merchandise .....	0	0	5	0	0	2½

## Other Articles.

Live cattle, hogs and sheep .....	Free.			Free.		
Stone, lime and clay .....	0	0	5	0	0	2½
Gypsum .....	0	0	5	0	0	2½
Anthracite coal.....	0	0	1½	0	0	1½
Bituminous coal.....	0	0	1½	0	0	1½
Copper ore.....	0	0	5	0	0	2½
Iron ore .....	0	0	2½	0	0	2½
Petroleum or earth oil, crude and refined.....	0	0	2½	0	0	2½
Articles not specified .....	0	0	5	0	0	2½

Mr. Youngs offered for the consideration of the House a resolution in the words following :

*Resolved*, That Assembly bill No. 208, general orders No. 225, entitled "An act to regulate and protect the planting of oysters in the public waters of the town of Oyster Bay, Queens county, be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Speaker announced the following conference committees:

On Assembly bill No. 5, entitled "An act conferring upon the Board of Canal Appraisers the power to allow amendments to claims" — Messrs. Terry, Hurd, VanValkenburgh, Chickering and Rhodes.

On Assembly bill No. 82, general orders No. 82, entitled "An act to abolish the use of weigh-locks on the canals" — Messrs. Hurd, Cullinan, Gray, Tuttle and T. E. Benedict.

By unanimous consent,

Mr. Clancy introduced a bill entitled "An act to further amend chapter 175 of the Laws of 1878, entitled 'An act to amend section 2, chapter 33 of the Laws of 1878, entitled 'An act to amend chapter 516 of the Laws of 1867, entitled 'An act for the further protection of female employees in the city of New York,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Husted moved to take from the table the bill and message of the Governor for the return of Assembly bill entitled "An act making an appropriation to pay the expense of the publication of the concurrent resolutions proposing amendments to the Constitution, under the direction of the Secretary of State in 1879."

Mr. Speaker put the question whether the House would agree to the motion to take said bill and message from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 94 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costello	Hynes	Sheridan
Baker, C. S.	Crapser	Ingersoll	Shuit
Beach	Cullinan	Kennedy	Sipp
Beates	Curtis	Lefever	Sisson
Benedict, E. D.	Davis	Lindsay	Skinner
Benedict, T. E.	Douglass	Low	Slingerland
Bennett	Duell	McCabe	Steele
Bradley	Duguid	McCarthy	Terpeny
Brennan	Ellis	McDonald	Terry
Bridges	Evans	Mitchell	Thilemann
Brodsky	Ferris	Mooers	Titus
Bullock	Fish	Morgan	Tozier
Carpenter, E. A.	Fitzgerald	Nowlan	Travis
Carpenter, I. S.	Gibbs	O'Connor	Tully
Case	Gillette	Parker	Tuthill, H. H.
Catlin	Gorsline	Phillips	Tuttle, R. M.
Chamberlain	Gray	Potts	Van Valkenburgh
Chase	Griggs	Rhodes	Walsh
Chickering	Gwinup	Roberts	Warner
Childs	Havens	Root	Waterbury
Clowes	Hayes	Russell	Wells, D. A.
Cohen	Hoffman	Sanders	Wells, J. L.
Comstock	Hurd	Shanley	Wren
Cookinham	Husted		

On motion of Mr. Husted, and by unanimous consent, said bill was amended in words following:

Add new section as section 2. The Secretary of State shall cause to be published, in not to exceed two public newspapers in each county of this State, all concurrent resolutions of the Senate and Assembly, which are by the Constitution or by any law of the State required to be published. Such publication shall be for one time only, except concurrent resolutions proposing amendments to the Constitution, which shall be published once a week for thirteen consecutive weeks; and in all cases where such publication is made in more than one newspaper in a county, the publication shall be directed to be made in the two newspapers, respectively, representing the two rival political parties polling the highest number of votes at the preceding election.

Sec. 3. This act shall take effect immediately.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Lindsay	Sipp
Baker, B. F.	Cushing	Low	Sisson
Baker, C. S.	Davis	McAvoy	Skinner
Beach	Deane	McCabe	Slingerland
Benedict, E. D.	Dougherty	McCarthy	Steele
Bradley	Douglass	McDonald	Terpeny
Brennan	Duell	Miller	Terry
Bridges	Duguid	Mitchell	Thilemann
Brodsky	Ellis	Morgan	Titus
Bullock	Evans	Newman	Tormey
Carpenter, E. A.	Ferris	Nowlan	Tozier
Carpenter, I. S.	Fish	O'Brien	Travis
Case	Gillette	Parker	Treanor
Oatlin	Gorsline	Peck	Tully
Chase	Gray	Phillips	Tuthill, H. H.
Chickering	Griggs	Potts	Tuttle, R. M.
Childs	Grosse	Rhodes	Van Valkenburgh
Clark	Hayes	Root	Walsh
Clowes	Hoffman	Russell	Warner
Cohen	Hurd	Sanders	Waterbury
Comstock	Husted	Seeley	Wells, D. A.
Cookinham	Hynes	Shanley	Wells, J. L.
Costello	Ingersoll	Sheridan	Wren
Crapser	Kennedy	Shuit	Youngs
Cullinan	Lefever		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Cookinham (introductory No. 619), entitled "An act to legalize the official acts of Samuel Williams, a justice of the peace of Bridgewater, in the county of Oneida," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Mitchell (introductory No. 605), entitled "An act to amend an act entitled 'An act to incorporate the New York Cotton Exchange,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Strait (introductory No. 372), entitled "An act to provide for the verification of pleadings in the justices' court," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Kennedy (introductory No. 471), entitled "An act to regulate the use of intoxicating liquors in poor-houses, juvenile reformatories, protectories, houses of refuge, jails, penitentiaries and prisons," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Hurd (introductory No. 35), entitled

"An act to amend chapter 498 of the Laws of 1847, entitled 'An act to authorize the election of county superintendents of the poor and county treasurers by the people,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Skinner (introductory No. 592), entitled "An act to amend section 435 of the Code of Civil Procedure," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Van Valkenburgh (introductory No. 542), entitled "An act to legalize the acts of George M. Warren, a justice of the peace of the town of Wheatfield, Niagara county," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Terry (introductory No. 615), entitled "An act to amend chapter 101 of the Laws of 1879, entitled 'An act to amend section 28 of article 2 of title 10 of chapter 8 of part 3 of the Revised Statutes, relating to summary proceedings to recover the possession of lands,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. C. S. Baker, from the committee on insurance, to which was referred the bill introduced by Mr. C. S. Baker (introductory No. 673), entitled "An act for the better security of the bonds of public officers and others," reported said bill for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

Mr. C. S. Baker, from the committee on insurance, to which was referred the bill introduced by Mr. Steele (introductory No. 621), entitled "An act to prevent individuals, companies, associations and corporations from issuing policies or other guarantees against loss or damage, by fire or lightning, in incorporated cities of this State without previous compliance with the general insurance laws," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. C. S. Baker, from the committee on insurance, for the committee report by bill annexed, an act entitled "An act to authorize joint-stock fire insurance companies to issue policies providing against loss or damage by lightning," and recommend the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to establish a local court of civil jurisdiction in the city of Buffalo, to be called the municipal court of Buffalo, and to amend the charter of said city."

"An act to amend sections 9 and 28 of chapter 140 of the Laws of 1850, entitled 'An act to authorize the formation of railroad corporations and to regulate the same.'"

"An act to amend chapter 140 of the Laws of 1850, entitled 'An act to authorize the formation of railroad corporations, and to regulate the same.'"

Mr. Speaker presented the annual report of the State Engineer and Surveyor ; which was laid on the table and ordered printed.

(See Doc. No. 75.)

Mr. Curtis introduced a bill entitled "An act to provide for the disposition of the Chenango canal and what is called and known as the Chemung canal extension and the lands, rights and other property connected therewith," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Sanders introduced a bill entitled "An act to amend chapter 2, title 2, part 2 of the Revised Statutes of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Russell introduced a bill entitled "An act to amend an act entitled 'An act to amend and reduce to one act, the several acts relating to buildings, and the keeping and storage of combustible materials in the city of New York, passed May 4, 1866,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Shanley (by request) introduced a bill entitled "An act to relieve property heavily incumbered by taxes and assessments in the city of Brooklyn, and to enable the city to realize a portion of its claims thereon, to the end that such property may be improved and again become tax-paying property," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Hayes introduced a bill entitled "An act to provide for the erection and completion of a new Jefferson market building in the Fifth Senatorial District in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. McCarthy introduced a bill entitled "An act in relation to the sheriff of the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. McDonald introduced a bill entitled "An act to secure the payment of mechanics, laborers and workmen who perform work, also persons furnishing materials toward the erection, altering or repairing buildings, wharves, vaults or any other structure in the cities of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Cookinham introduced a bill entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Case introduced a bill entitled "An act to amend section 1 of chapter 466 of the Laws of 1853, entitled 'An act to provide for the incorporation of fire insurance companies,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Steele introduced a bill entitled "An act to limit insurance on

buildings by fire insurance companies and to prevent fraudulent fires," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Also, the bill entitled "An act to amend section 16 of article 3, chapter 6, part 1 of the Revised Statutes, which was read the first time, and by unanimous consent was also read the second time.

. On motion of Mr. Steele, and by unanimous consent, said bill was ordered to a third reading.

Mr. Youngs introduced a bill entitled "An act to amend section 3 of chapter 312 of the Laws of 1838, entitled 'An act to appoint trustees of the Jones fund for the support of the poor of the town of Oyster Bay and North Hempstead, in the county of Queens,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Comstock introduced a bill entitled "An act to amend chapter 271 of the Laws of 1834, entitled 'An act for establishing a justices' court in the city of Troy, passed May 5, 1834, and the several acts amendatory thereof and supplementary thereto, and also to amend chapter 56 of the Laws of 1848, entitled 'An act to provide for the election of the justices and the clerk of the justices' court in and for the city of Troy, and the appointment of a marshal, passed February 28, 1848, and the several acts amendatory thereof and supplemental thereto, and also to amend chapter 18 of the Laws of 1876, entitled 'An act in relation to the police court and justices' court of the city of Troy,' passed February 11, 1876," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Strait introduced a bill entitled "An act amending the Code of Civil Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill entitled "An act to amend an act for the taxation of dogs, and the collection thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Husted, the committee of the whole was discharged from the further consideration of the Assembly bills entitled "An act in relation to the office of overseer of the poor of the town of Stony Point, Rockland county," and "An act in relation to the office of commissioner of highways of the town of Stony Point, Rockland county," and said bills were ordered to a third reading.

Mr. Evans introduced a bill entitled "An act for the relief of James Harmer," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Tuttle introduced a bill entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration and to regulate the compensation of supervisors,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Travis introduced a bill entitled "An act to amend chapter 245 of the Laws of 1878, entitled 'An act to amend article 5 of title



1, chapter 16 of part 1 of the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Alvord moved that the House do now resolve itself into a committee of the whole on Assembly bill entitled "An act in relation to the incorporation of villages."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The House then resolved itself into a committee of the whole on the bill entitled as follows :

"An act in relation to the incorporation of villages."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Duguid, from said committee, reported in favor of the passage of said bill, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Husted moved that the time of this session be extended for the purpose of taking up order of business, introduction of bills, reports of standing committees, and the messages from the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Husted offered for the consideration of the House a resolution in the words following :

*Whereas*, The files of the Assembly bills have become unwieldy :

*Resolved*, That the Clerk of the Assembly is directed to procure another set of file boards for Assembly bills.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate sent for concurrence the bills entitled as follows :

"An act to legalize the official acts of Frank M. Goff, a justice of the peace, and allow him to file his official bond," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act in relation to the temporary relief of the poor of the town of Ulster, Ulster county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act to amend chapter 371 of the Laws of 1866, entitled 'An act to extend the operation and effect of the act passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

"An act in relation to Fourth avenue, in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to amend chapter 272 of the Laws of 1879, entitled 'An act making appropriations for certain expenses of government, and supplying deficiencies in former appropriations,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

"An act further to amend chapter 446 of the Laws of 1874, entitled 'An act to revise and consolidate the statutes of the State relating

to the care and custody of the insane, the management of the asylums for their treatment and safe-keeping, and the duties of the State Commissioner in Lunacy;" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State charitable institutions.

Mr. Hurd, from the committee on canals, to which was referred the bill introduced by Mr. Van Valkenburgh (introductory No. 332), entitled "An act in relation to a certain bridge over the Erie canal on Mill street, in the city of Lockport," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Hurd, from the committee on canals, to which was referred the bill introduced by Mr. Van Valkenburgh (introductory No. 436), entitled "An act authorizing and directing the enlargement of the west branch of the Eighteen Mile creek north of the Erie canal, in the county of Niagara, and appropriating money for that purpose," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Hurd, from the committee on canals, to which was referred the Senate bill (introductory No. 286), entitled "An act to amend sections 17 and 18 of article 2, title 9, chapter 9, part 1 of the Revised Statutes, entitled 'of the Canal Commissioners and their general powers and duties,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Potter, and by unanimous consent, said bill was substituted for Assembly bill No. 275 on the same subject.

Mr. Duguid, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Lefever (introductory No. 613), entitled "An act to provide for the navigation of the waters of the Walkill creek, in the county of Ulster, by steamboats," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Duguid, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. E. A. Carpenter (introductory No. 600), entitled "An act to authorize Henry Fordham and George W. Tuttle to establish, maintain and operate a ferry across the Great South bay, in Suffolk county," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Duguid, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Weston (introductory No. 530), entitled "An act to establish a ferry from the farm of Henry G. Burleigh, of the county of Essex, across Lake Champlain," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Duguid, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. J. L. Wells (introductory No. 514), entitled "An act to amend an act entitled 'An act for the better protection of seamen in the port and harbor of New York,' passed March 21, 1866," reported the same for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Duguid, and by unanimous consent, said bill was

recommitted to the committee on commerce and navigation, when printed, not retaining place on general orders.

Mr. Brennan, from the committee on militia, to which was recommit-  
 ted the bill introduced by Mr. Brennan (introductory No. 463),  
 entitled "An act to amend chapter 80 of the Laws of 1870, being the  
 Military Code," reported in favor of the passage of the same, with  
 amendments, which report was agreed to and said bill committed to  
 the committee of the whole.

Mr. Warner, from the committee on trade and manufactures, to  
 which was referred the bill introduced by Mr. Bradley (introductory  
 No. 95), entitled "An act to regulate the manufacture and sale of hats,"  
 recommends the same to the consideration of the House, which report  
 was agreed to and said bill committed to the committee of the whole.

Mr. Warner, from the committee on trade and manufactures, to  
 which was referred the bill introduced by Mr. Warner (introductory  
 No. 573), entitled "An act to amend chapter 175 of the Laws of  
 1875, entitled 'An act to regulate the sale of baled hay and straw in  
 the State of New York,'" reported in favor of the passage of the same  
 with amendments, which report was agreed to and said bill committed  
 to the committee of the whole.

Mr. Chase, from the committee on agriculture, to which was referred  
 the bill introduced by Mr. Root (introductory No. 499), entitled "An  
 act to regulate voting in the Western New York Agricultural Society,"  
 reported in favor of the passage of the same with amendments, which  
 report was agreed to and said bill committed to the committee of the  
 whole.

Mr. Curtis, from the committee on charitable and religious societies,  
 to which was referred the bill introduced by Mr. Sharpe (introductory  
 No. 627), entitled "An act to amend section 11 of an act entitled 'An  
 act to incorporate the Society for the Relief of Half-orphan and Destitute  
 Children in the city of New York,'" reported in favor of the passage  
 of the same with amendments, which report was agreed to and said  
 bill committed to the committee of the whole.

Mr. C. S. Baker offered for the consideration of the House a reso-  
 lution in the words following:

*Resolved*, That Assembly bill No. 262, entitled "An act to authorize  
 and empower the State Board of Audit to adjust and settle certain  
 differences existing between the State and the county of Monroe," be  
 ordered engrossed for a third reading.

Mr. Speaker put the question whether the House would agree to  
 said resolution, and it was determined in the affirmative.

The Senate returned Assembly entitled "An act to authorize the  
 sale of lands in the town and village of Saratoga Springs, for unpaid  
 State, county and municipal taxes, including water rates and special  
 assessments," with a message that they have concurred in the passage  
 of the same with the following amendments:

At the end of section 8 add the following:

"Any person interested in property upon which a tax or assessment  
 has been or may be assessed or levied may bring an action to vacate  
 and set aside such tax or assessment or any sale made by virtue thereof,  
 and to enjoin and restrain the sale of any real or personal property,  
 provided that such action shall be brought within two years after  
 written notice of such sale."

Strike out all of section 10 and make section 11 section 10.

Mr. Speaker put the question whether the House would concur in

said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Childs	Hoffman	Potts
Baker, B. F.	Clark	Hurd	Rhodes
Baker, C. S.	Clowes	Husted	Roberts
Beach	Congdon	Hynes	Root
Beates	Cookinham	Ingersoll	Sherman
Benedict, E. D.	Curtis	Kennedy	Sipp
Benedict, T. E.	Cushing	Lefever	Sisson
Bennett	Davis	Lindsay	Slingerland
Bradley	Deane	Low	Steele
Brennan	Duell	McCabe	Strait
Bridges	Duguid	Miller	Terpeny
Brodeky	Ellis	Mitchell	Tozier
Bullock	Ferris	Morgan	Travis
Carpenter, E. A.	Fish	Nowlan	Tuthill, H. H.
Carpenter, I. S.	Gorsline	O'Brien	Tuttle, R. M.
Case	Gray	Parker	Van Valkenburgh
Catlin	Griggs	Peck	Waterbury
Chamberlain	Grosse	Pitcher	Wells, J. L.
Chase	Gwinup	Potter	Wren
Chickering	Havens		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendment.

Mr. Kennedy offered for the consideration of the House the resolutions in the words following:

*Resolved*, That the committee on claims be discharged from the further consideration of Senate bill No. 85, entitled "An act relative to lands under water in front of lands devised by James Morris, deceased," and that the same be referred to the committee on the judiciary.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Resolved*, That the committee on claims be discharged from the further consideration of petitions of citizens of Delaware county for relief of George M. Cramer and Carl Weisner, disabled guardsmen, and that the same be referred to the committee on ways and means.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Clowes offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly printed bill No. 283, general orders 306, entitled "An act relating to the term of office of supervisors in the several towns of Queens county," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Potter offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That 1,000 copies of the report of the State Engineer and Surveyor, transmitted to the Speaker of the Assembly, March 3, 1880, be printed for the use of the said State Engineer and Surveyor, and that 1,500 copies be printed for the use of the Legislature.

*Ordered.* That said resolution be referred to the committee on public printing.

On motion of Mr. Alvord and at 2 o'clock and 15 minutes the House adjourned.

## FRIDAY MORNING, MARCH 5, 1880

The House met pursuant to adjournment.

Prayer by Rev. Dr. Schlesinger.

The journal of yesterday was read and approved.

Mr. Gillette introduced a bill entitled "An act to amend chapter 468 of the Laws of 1872, entitled 'An act to revise and consolidate the several acts in relation to the charter of the city of Hudson,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Russell introduced a bill entitled "An act to authorize deeds for burial lots in rural cemeteries to be recorded in any county in which any part of said cemeteries may be located," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Terpeny introduced a bill entitled "An act supplementary to chapter 833 of the Laws of 1872, relating to the Metropolitan Transit Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Mitchell introduced a bill entitled "An act to authorize summary proceedings by mandamus against common carriers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Varnum introduced a bill entitled "An act in relation to the health officer for the port of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Low introduced a bill entitled "An act for the relief of W. H. Carver," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Strait introduced a bill entitled "An act amending 'An act authorizing the construction of a bridge across the Hudson river, at Albany,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Also, the bill entitled "An act entitled 'An act to enable either husband or wife to obtain a divorce in case of abandonment or desertion,'" which was read the first time, and by unanimous consent was

also read the second time, and referred to the committee on the judiciary.

Mr. Sanders introduced a bill entitled "An act to abolish the office of commissioner for bonding the town of Pavilion, in Genesee county, in aid of the Rochester and State Line Railroad Company and devolving the duties of said officers on the supervisor of said town," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Travis, from the committee on the judiciary, to which was referred the bill introduced by Mr. Clowes (introductory No. 486), entitled "An act to enable the town of Newtown, in Queens county, to fund a portion of its bonded debt at a reduced rate of interest," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Bridges, from the committee on general laws, to which was referred the bill introduced by Mr. Cookinham (introductory No. 669), entitled "An act to amend section 9, chapter 11, article 1, title 2, part 1 of the Revised Statutes, and supplemental thereto," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Bridges, from the committee on general laws, to which was referred the bill introduced by Mr. Bradley (introductory No. 614), entitled "An act to amend chapter 737 of the Laws of 1873, entitled 'An act in relation to the creation and formation of water-works companies in towns and villages of the State of New York,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Bridges, from the committee on general laws, to which was referred the bill introduced by Mr. Tuttle (introductory No. 355), entitled "An act to amend chapter 489 of the Laws of 1873, in relation to mechanics' liens," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Bridges, from the committee on general laws, to which was referred the bill introduced by Mr. Mitchell (introductory No. 92), entitled "An act for the incorporation of mutual tontine societies," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Bridges, and by unanimous consent, said bill was ordered to be recommitted to the committee on general laws, when printed, retaining its place on general orders.

Mr. Bridges, from the committee on general laws, to which was referred the bill introduced by Mr. Beach (introductory No. 566), entitled "An act to amend section 68 of chapter 5 of title 4 of part 1 of the Revised Statutes, entitled 'Of public officers,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Ash (introductory No. 548), entitled "An act to amend chapter 519 of the Laws of 1817, entitled 'An act to revise the charter of the city of Buffalo,' passed April 28, 1870," reported in favor of the passage of the same, which report

was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Ash (introductory No. 551), entitled "An act to provide for the collection of unpaid city taxes and local assessments in the city of Buffalo," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Treanor (introductory No. 643), entitled "An act for the better protection of cartmen and others engaged in the removal of household furniture and other property, in the city of New York," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Mitchell (introductory No. 115), entitled "An act concerning the supply of pure and wholesome water for the city of New York," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Sheridan (introductory No. 612), entitled "An act in relation to unpaid taxes and assessments in the city of Brooklyn," reported said bill for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Varnum, said bill was recommitted to the committee on affairs of cities, when printed, retaining its place on general orders.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Tallmadge (introductory No. 264), entitled "An act to amend chapter 863 of the Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn,'" reported said bill for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 65), entitled "An act to authorize the Buffalo City Cemetery Association to acquire additional land and to erect a building for office purposes," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 53), entitled "An act to legalize certain proceedings of the common council of the city of New York," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. C. S. Baker, from the committee on insurance, to which was referred the bill introduced by Mr. Steele (introductory No. 681), entitled "An act to limit insurance on buildings, by fire insurance companies, and to prevent fraudulent fires," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. C. S. Baker, and by unanimous consent, said bill

was recommitted to the committee on insurance, when printed, retaining its place on general orders.

Mr. Van Valkenburgh, from the committee on banks, to which was referred the bill introduced by Mr. Cullinan (introductory No. 545), entitled "An act to require banks, banking associations and individual bankers to redeem and retire their circulating notes," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Dougherty (introductory No. 625), entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Phillips (introductory No. 665), entitled "An act to authorize the treasurer of Orleans county to sell property for unpaid taxes," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Fiske (introductory No. 576), entitled "An act to regulate the taking of clams and oysters in the waters of the State of New York on the south side of Staten Island," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the Senate bill (introductory No. 156), entitled "An act to confirm the proceedings of the board of trustees of the village of Attica, relating to the sale and purchase of real estate," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Hoffman (introductory No. 570), entitled "An act to amend an act entitled 'An act to amend the charter of the village of Horseheads, in Chemung county,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Waterbury (introductory No. 519), entitled "An act to incorporate Excelsior Hose Company No. 1 of the village of Warwick, county of Orange, New York," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Sanders (introductory No. 652), entitled "An act conferring additional powers upon the trustees of the village of LeRoy," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Bullock, from the committee on public health, to which was referred the bill introduced Mr. Tallmadge (introductory No. 420), en-



titled "An act in relation to the transit and burial of dead bodies," reported adversely thereto, which report was agreed to.

Mr. Sherman, from the committee on public education, to which was referred the bill introduced by Mr. Sherman (introductory No. 633), entitled "An act to amend chapter 421 of the Laws of 1874, entitled 'An act to secure to children the benefits of elementary education,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sherman, from the committee on public education, to which was referred the bill introduced by Mr. Wells (introductory No. 155), entitled "An act relative to the common schools in the city of New York," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sherman, from the committee on public education, to which was referred the bill introduced by Mr. Comstock (introductory No. 509), entitled "An act to transfer the town of Berlin from the first to the second, and the town of Brunswick from the second to the first school commissioner district of the county of Rensselaer," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Case, from the committee on federal relations, to which was referred the bill introduced by Mr. Sharpe (introductory No. 582), entitled "An act granting the consent of the State of New York to the purchase, by the United States, of certain lands, pond and rights for the purpose of increasing the water supply of West Point, New York; and ceding jurisdiction over said lands and pond," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Case, from the committee on federal relations, to which was referred the bill introduced by Mr. Varnum (introductory No. 487), entitled "An act relinquishing title and jurisdiction to the United States over certain lands covered with water in the harbor of New York at Governor's, Bedloe's, Ellis' and David's Islands, and Forts Lafayette, Hamilton, Wadsworth and Schuyler," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Hurd, from the committee on canals, to which was referred the Senate bill (introductory No. 22), entitled "An act to authorize a tax of thirty-four one-hundredths of a mill, per dollar of valuation, to provide for a deficiency in the sinking fund, under article 7, section 3 of the Constitution," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Hurd, from the committee on canals, to which was referred the Senate bill (introductory No. 21), entitled "An act making appropriations for the payment of the principal and interest of the Canal Department for the fiscal year commencing on the first day of October, 1880," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

The privileges of the floor were granted to Hon. George L. Berry, former member of this House.

By unanimous consent,

Mr. Steele introduced a bill entitled "An act to amend chapter 639 of the Laws of 1868, entitled 'An act to amend the act incorporating the village of Phoenix in the county of Oswego,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages. Accompanied by a petition.

Mr. Sisson offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 220, general orders No. 237, entitled "An act to release the interest of the people of the State of New York in and to certain real estate in the city of Troy, of which Arthur Mooney died seized, to Mary Jane Mooney, his widow," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Duell offered for the consideration of the House a resolution in the words following:

*Whereas*, The Attorney-General did, on the 29th day of January last, address to the receivers of insolvent corporations a circular requesting information in regard to the dividends paid by them, the amount of fees received by them, and paid out to referees, attorneys, clerks and stenographers; and other information of public interest.

*Resolved*, That the Attorney-General be and he hereby is requested to furnish to this House, at his earliest convenience, the answers to said circular received by him from the receivers of banks, trust and insurance companies.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. McCarthy offered for the consideration of the House a resolution in the words following:

*Resolved*, That Senate bill No. 72, entitled "An act to amend the Code of Civil Procedure," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Cushing called from the table a resolution previously offered by him in words following:

*Whereas*, The famine in Ireland has aroused the sympathy of the whole civilized world, and recommends active efforts on the part of every class and country to alleviate the sufferings created thereby; and,

*Whereas*, We recognize Ireland as one of the resources of American freedom, where her sons fought on every battle field to uphold the Republic; therefore,

*Resolved* (if the Senate concur), That the sum of \$50,000 be appropriated for the relief of the sufferers in Ireland, and that the Comptroller be and he is hereby directed to draw his warrant for said sum, and hand over the same to the proper authorities.

Mr. Cushing moved to amend by substituting for said resolution the following:

*Whereas*, The famine in Ireland has aroused the sympathy of the

civilized world, and demands the active efforts of every class and country to alleviate the sufferings caused thereby.

*Whereas*, We recognize Ireland as one of the nurseries of American freedom and the birthplace of many of the gallant heroes whose lives were freely offered in defense of this Republic; therefore be it

*Resolved*, That the committee on ways and means be instructed to insert in the supply bill the item of \$100,000, which sum is hereby appropriated for the relief of the suffering people of Ireland, to be expended under the direction of a committee consisting of Rev. Morgan L. Dix, of New York, Henry L. Hognet, Esq., of New York, and Chester A. Arthur, Esq., of New York.

Mr. Alvord moved to refer said resolution to the committee on grievances.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Varnum offered for the consideration of the House a resolution in the words following:

*Resolved*, That the Attorney-General be requested to inform this House by what authority outside counsel has been engaged to represent him before the Dannemora investigating committee, and whether such counsel has received, or is to receive, any pay for services so rendered out of the State treasury.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Treanor offered for the consideration of the House a resolution in the words following:

*Resolved*, That when this House adjourns to day it be to meet on Monday evening next, at 8 o'clock.

Mr. Speaker put the question whether the House would agree to said resolution and it was determined in the affirmative.

{ AYES 65 }  
{ NOES 36 }

Those who voted in the affirmative, were

Baker, B. F.	Cushing	Hynes	Sherman
Baker, C. S.	Deane	Lefever	Shuit
Beach	Dougherty	Lindsay	Sipp
Beates	Duguid	McAvoy	Slingerland
Benedict, E. D.	Ferris	McCarthy	Strait
Bennett	Fish	McTernan	Tallmadge
Bradley	Fiske	Miller	Thilemann
Brodsky	Gibbs	Morgan	Tormey
Carpenter, I. S.	Gillette	Newman	Travis
Catlin	Gorsline	Peck	Treanor
Chamberlain	Griggs	Potter	Tully
Childs	Grosse	Potts	Walsh
Clowes	Gwinup	Roberts	Warner
Cohen	Hayes	Russell	Waterbury
Congdon	Hoffman	Sanders	Wells, J. L.
Cookinham	Howland	Seeley	Wren
Cullinan			

Those who voted in the negative, were

Alvord	Comstock	Husted	Sisson
Benedict, T. E.	Costello	Ingersoll	Skinner
Brennan	Crapser	Kennedy	Steele

Bridges	Curtis	Low	Terpeny
Bullock	Davis	Mead	Tozier
Case	Duell	Mooers	Tuthill, H. H.
Chase	Evans	O'Brien	Tuttle, R. M.
Chickering	Gray	Parker	Van Valkenburgh
Claney	Hurd	Shanley	Varnum

The Private Secretary of the Governor appeared before the bar of the House, and presented a message in words following :

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, *March 5, 1880.*

*To the Assembly :*

Assembly bill No. 105, entitled " An act conferring additional powers upon the board of supervisors of the county of Niagara, relative to expenses for the support of the poor," is herewith returned without my approval.

The object of the bill is to take from the superintendent of the poor the powers and duties given by the general laws of the State, and to transfer them to the supervisors. This is manifestly unwise and improper.

ALONZO B. CORNELL.

On motion of Mr. Low, and by unanimous consent, said bill with message was laid on the table.

Messrs. Beates, Havens and Tuthill presented petitions in favor of a constitutional amendment prohibiting the manufacture and sale of intoxicating liquors; which were read and referred to the committee on internal affairs.

Messrs. Shuit, Seeley and Case presented petitions against any change in the excise laws; which were read and referred to the committee on internal affairs.

Mr. Steele presented a petition of citizens of Oswego for equitable and economical reform in legislative and official salaries, etc.; which was read and referred to the committee on ways and means.

Mr. Beates presented a petition in favor of the taxation of all town and city bonds issued to aid in the construction of railroads in this State, in the towns and cities that issued them; which was read and referred to the committee on taxation.

A message from the Senate was received and read, informing of concurrence in the following bill :

" An act to amend section 3 of chapter 110 of the Laws of 1876, entitled ' An act supplemental to chapter 60 of the Laws of 1813, entitled ' An act to provide for the incorporation of religious societies, and of the several acts amendatory thereof.' "

*Ordered,* That the Clerk deliver said bill to the Governor.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

" An act to regulate the rate of fare to be charged and collected by persons or corporations operating elevated railroads in the city of New York."

" An act to amend section 16 of article 3, chapter 6, part 1, of the Revised Statutes."

" An act to authorize and empower the State Board of Audit to adjust and settle certain differences existing between the State and the county of Monroe."

"An act in relation to the incorporation of villages."

"An act in relation to the office of commissioner of highways of the town of Stony Point, Rockland county."

"An act in relation to the office of overseer of the poor of the town of Stony Point, Rockland county."

Mr. Sheridan offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 192, general orders No. 208, entitled "An act to further amend chapter 491 of the Laws of 1871, entitled 'An act to provide for the relief and support of the poor of the county of Kings, and to change the name of the office of the superintendent of the poor therein to the office of the commissioners of charities of the county of Kings,' passed April 14, 1871," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

Mr. Skinner offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee on railroads be discharged from the further consideration of Assembly bill (introductory No. 543), entitled "An act to render taxable town and city bonds issued for the construction of railroads," and that the same be referred to the special committee on taxation.

Mr. Speaker put the question whether the House would agree to said resolution and it was determined in the affirmative.

Mr. Ingersoll offered for the consideration of the House a resolution in the words following:

*Resolved*, That the time within which the special committee appointed by this House to investigate the matters and charges connected with the lease of the Plattsburgh and Dannemora railroad, etc., be and the same is hereby extended twenty days.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Seeley offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 186, entitled "An act to authorize the Knickerbocker Casualty Insurance Company to increase its capital stock," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

The Senate sent for concurrence the resolution in words following:

*Resolved* (if the Assembly concur), That a respectful message be sent to his Excellency the Governor, requesting the return of Senate bill No. 61, entitled "An act to amend the Code of Civil Procedure," for amendment.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk return said resolution to the Senate, with a message informing of concurrence therein.

Mr. Hurd offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That 1,500 copies of the last annual report of the Superintendent of Public Works be printed, 500 for the use of the Legislature, and 1,000 for the Superintendent of Public Works; 500 to be bound in cloth, and the balance in paper.

*Ordered*, That said resolution be referred to the committee on public printing.

Mr. Hurd offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That 2,000 copies of the last report of Colvin's Survey of the Adirondacks be printed for the use of the Legislature.

*Ordered*, That said resolution be referred to the committee on public printing.

Mr. Case offered for the consideration of the House a resolution in the words following:

*Resolved*, That the report of the New York commissioners, appointed to settle the disputed boundary lines with the State of Connecticut, pursuant to chapter 166, Laws of 1879, be taken from the table and referred to the committee on federal relations.

Mr. Speaker put the question whether the House would agree to take said report from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to refer said report to the committee on federal relations, and it was determined in the affirmative.

Mr. Gwinup arose to a question of privilege, and stated:

MR. SPEAKER— I rise to a question of privilege. On pages 275 and 276 of the journal of this House, I find recorded the resolution offered by me, on February 18, relating to limiting the eligibility of citizens to the presidency two terms of four years each. Immediately following this resolution, and referring thereto, I find that "said resolution giving rise to debate, ordered, that the same be laid upon the table."

On page 300 of the same journal, I find that Mr. Gwinup moved that the committee on grievances be discharged from the further consideration of the resolution offered by him, relating to an election of President for a third term. There is no mention whatever made of any proceedings of this House, at that time, namely, on February 20, prior to and in connection with the motion there recorded.

The recorded proceedings of the House, had on February 20, is incorrect, and places the mover of the resolution and the House in a false position by not stating the whole proceedings relating to this matter; and, further, that the proceedings recorded were had under the ruling of the Speaker of the House, which ruling was made through inadvertence, or want of recollection of the existence of the real fact that the resolution was upon the table of the House.

Therefore, I move that the recorded proceedings of this House had on February 20, relating to this subject, be expunged from the journal of the House.

Mr. Gwinup then called from the table the resolution previously offered by him in the words following:

*Whereas*, Under the operation of the Constitution of the United States the several departments of government, limited in tenure, have always been filled by able men; and

*Whereas*, Life tenure or great length of time in holding the chief executive office has proved destructive to republican government,

and has been the commencement of imperial and monarchical governments; and

*Whereas*, It is our duty to perpetuate the legacy of the fathers under which with God's favor we have thus far prospered; and

*Whereas*, The change of persons as Presidents not exceeding service of two terms of four years has proved a peaceful method for prevention of internal feuds inspired by insatiable ambition; and

*Whereas*, The renomination for the presidency of a distinguished citizen, who has twice received the highest civic honors the country can bestow upon him, is again seriously considered; therefore.

*Resolved* (if the Senate concur), That in the opinion of this Legislature of the State of New York, a "third term" nomination for the presidency is wholly inadvisable as being against the best interest, peace and welfare of the country.

*Resolved* (if the Senate concur), That our Senators and Representatives in Congress be and they are hereby instructed to present an amendment to the Federal Constitution limiting the eligibility of citizens to the presidency to two terms of four years each and no more.

Mr. Speaker put the question whether the House would agree to the motion to take said resolutions from the table, and it was determined in the affirmative.

Mr. Alvord moved to refer said resolutions to the committee on federal relations.

Mr. Shanley moved the previous question.

Mr. Speaker put the question "Shall the main question now be put?" and it was determined in the affirmative.

{ AYES 68 }  
{ NOES 30 }

Those who voted in the affirmative, were

Alvord	Cullinan	Lefever	Shuit'
Baker, B. F.	Curtis	Lindsay	Sipp
Baker, C. S.	Davis	Miller	Sisson
Beach	Deane	Mitchell	Skinner
Beates	Duguid	Mooers	Slingerland
Bradley	Evans	Morgan	Steele
Bridges	Ferris	O'Brien	Tallmadge
Brodsky	Fish	Peck	Tozier
Bullock	Gillette	Phillips	Travis
Carpenter, I. S.	Gorsline	Potter	Tuthill, H. H.
Chamberlain	Griggs	Potts	Tuttle, R. M.
Chase	Hayes	Roberts	Van Valkenburgh
Chickering	Howland	Root	Varnum
Clowes	Hurd	Russell	Warner
Comstock	Husted	Sanders	Wells, D. A.
Congdon	Ingersoll	Seeley	Wells, J. L.
Cookinham	Kennedy	Sherman	Wren

Those who voted in the negative, were

Benedict, E. D.	Dougherty	McAvoy	Strait
Benedict, T. E.	Ellis	McCarthy	Terpeny
Bennett	Gibbs	McTernan	Thifemann
Catlin	Grosse	Mead	Tormey
Clancy	Gwinup	Newman	Treanor
Cohen	Havens	Shanley	Tully

Costello  
CushingHoffman  
Hynes

Sheridan

Walsh

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Alvord to refer said resolutions to the committee on federal relations, and it was determined in the affirmative.

{ AYES 62 }  
{ NOES 28 }

Those who voted in the affirmative, were

Alvord	Curtis	Ingersoll	Seeley
Baker, B. F.	Davis	Kennedy	Sherman
Baker, C. S.	Deane	Lefever	Shuit
Beach	Duguid	Lindsay	Sipp
Beates	Evans	Miller	Sisson
Bradley	Fish	Mooers	Slingerland
Bridges	Fiske	Morgan	Travis
Brodsky	Gillette	Nowlan	Tuthill, H. H.
Chase	Gorsline	O'Brien	Tuttle, R. M.
Chickering	Gray	Peck	Van Valkenburgh
Clowes	Griggs	Potter	Varnum
Comstock	Grosse	Potts	Warner
Congdon	Hayes	Roberts	Wells, D. A.
Cookinham	Howland	Root	Wells, J. L.
Crapser	Hurd	Russell	Wren
Cullinan	Husted		

Those who voted in the negative, were

Benedict, E. D.	Cushing	Hynes	Sheridan
Bennett	Dougherty	McAvoy	Skinner
Bullock	Ellis	McCarthy	Terpeny
Catlin	Gibbs	McTernan	Thilemann
Clancy	Gwinup	Newman	Tormey
Cohen	Havens	Parker	Treanor
Costello	Hoffman	Shanley	Walsh

Said resolutions were ordered referred to the committee on federal relations.

Mr. Alvord moved to lay all order of business on the table, and take up order of business general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Husted called for the enforcement of the ninth joint rule.

Mr. Speaker announced the order of business the third reading of bills.

By unanimous consent,

Mr. Cookinham introduced a bill entitled "An act to reduce and fix the rate of interest on bonds and mortgages held by the commissioner of the United States deposit fund in the several counties of the State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

The Senate sent for concurrence the bill entitled "An act to amend an act entitled 'An act to amend the charter of the city of Brooklyn, and the various amendments thereof,' passed June 28, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The bill entitled "An act entitled 'An act to authorize the town



of Flushing, in Queens county, to borrow money and issue bonds therefor, for the purpose of paying the indebtedness of said town," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths of said members being present.

{ AYES 55 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Duell	Lindsay	Sherman
Baker, B. F.	Duguid	McAvoy	Shuit
Baker, C. S.	Ellis	McCarthy	Skinner
Beach	Evans	Mead	Slingerland
Beates	Fish	Mitchell	Tozier
Brodsky	Fiske	Mooers	Travis
Chamberlain	Gray	Parker	Tuthill, H. H.
Chase	Griggs	Peck	Tuttle, R. M.
Chickering	Grosse	Phillips	Van Valkenburgh
Clowes	Hayes	Potter	Warner
Comstock	Hoffman	Potts	Waterbury
Cookinham	Howland	Roberts	Wells, D. A.
Cullinan	Husted	Root	Wiley
Curtis	Kennedy	Russell	

Mr. Alvord moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, three-fifths of all the members present voting in favor thereof.

The bill entitled "An act to establish a local court of civil jurisdiction in the city of Buffalo, to be called the Municipal Court of Buffalo, and to amend the charter of said city," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 74 }  
{ NOES 22 }

Those who voted in the affirmative, were

Alvord	Curtis	Kennedy	Sherman
Baker, B. F.	Davis	Lefever	Shuit
Baker, C. S.	Deane	Low	Skinner
Beach	Duell	Miller	Slingerland
Beates	Duguid	Mitchell	Steele
Bradley	Evans	Mooers	Tallmadge
Bridges	Ferris	Morgan	Terpeny
Brodsky	Fish	Nowlan	Tozier
Carpenter, I. S.	Fiske	Parker	Travis
Case	Gillette	Phillips	Tuthill, H. H.
Catlin	Gorsline	Potter	Tuttle, R. M.
Chamberlain	Gray	Potts	Van Valkenburgh
Chase	Griggs	Roberts	Warner
Chickering	Grosse	Root	Waterbury
Childs	Gwinup	Russell	Wells, D. A.

Clowes	Hayes	Sanders	Wells, J. L.
Comstock	Howland	Seeley	Wren
Cookinham	Husted	Sheridan	Mr. Speaker
Cullinan	Ingersoll		

Those who voted in the negative, were

Benedict, E. D.	Ellis	McTernan	Thilemann
Benedict, T. E.	Gibbs	Mead	Treanor
Clancy	Havens	Newman	Tully
Cohen	Hoffman	Shanley	Walsh
Costello	Hynes	Strait	Wiley
Cushing	McAvoy		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act authorizing the trustees of the 'Pine Ridge Cemetery Association of Sennett' to grant and convey to the city of Auburn certain lands for a public cemetery," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costello	Howland	Shanley
Baker, B. F.	Cullinan	Husted	Sheridan
Baker, C. S.	Curtis	Ingersoll	Sipp
Beach	Cushing	Kennedy	Skinner
Beates	Davis	Lefever	Slingerland
Benedict, T. E.	Deane	McAvoy	Steele
Bradley	Dougherty	McTernan	Tallmadge
Brennan	Duell	Mead	Terpeny
Bridges	Duguid	Miller	Thilemann
Brodsky	Ellis	Mitchell	Tozier
Bullock	Evans	Moors	Travis
Carpenter, I. S.	Ferris	Morgan	Treanor
Case	Fish	Newman	Tuthill, H. H.
Catlin	Fiske	Nowlan	Tuttle, R. M.
Chamberlain	Gillette	Potter	Van Valkenburgh
Chase	Gorsline	Potts	Warner
Chickering	Gray	Root	Waterbury
Clowes	Griggs	Russell	Wells, D. A.
Comstock	Gwinup	Sanders	Wells, J. L.
Congdon	Hayes	Seeley	Wren
Cookinham			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act to provide for the appointment of two additional trustees of the Binghamton Asylum for the Chronic Insane, and to make an appropriation for such asylum," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 12 }

Those who voted in the affirmative, were

Alvord	Curtis	Lefever	Sheridan
Baker, B. F.	Deane	Lindsay	Shuit
Baker, C. S.	Duell	Low	Sipp
Beach	Duguid	McCarthy	Skinner
Beates	Ellis	Mead	Slingerland
Benedict, E. D.	Evans	Miller	Steele
Bradley	Ferris	Mitchell	Strait
Bridges	Fish	Mooers	Tallmadge
Brodsky	Fiske	Morgan	Terpeny
Bullock	Gillette	Newman	Thilemann
Carpenter, I. S.	Gray	Nowlan	Tozier
Case	Griggs	Parker	Travis
Catlin	Grosse	Phillips	Tuthill, H. H.
Chamberlain	Gwinup	Potter	Tuttle, R. M.
Chase	Hayes	Potts	Van Valkenburg
Chickering	Hoffman	Roberts	Warner
Clowes	Howland	Root	Waterbury
Comstock	Hurd	Russell	Wells, D. A.
Congdon	Husted	Sanders	Wells, J. L.
Cookinham	Ingersoll	Seeley	Wren
Cullinan	Kennedy	Shanley	

Those who voted in the negative, were

Benedict, T. E.	Costello	Dougherty	McTernan
Clancy	Cushing	Gibbs	Tully
Cohen	Davis	McAvoy	Walsh

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Newman moved that this House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

The bill entitled "An act to amend section 1 of chapter 212 of the Laws of 1879, entitled 'An act to provide for the distribution of acts passed by the Legislature to town clerks' offices,'" was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative by a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }  
{ NOES 3 }

Those who voted in the affirmative, were

Alvord	Cushing	Kennedy	Seeley
Baker, B. F.	Davis	Lefever	Shanley
Baker, C. S.	Deane	Lindsay	Sheridan
Beach	Dougherty	Low	Shuit
Beates	Duell	McAvoy	Sipp
Benedict, T. E.	Duguid	McCarthy	Sisson
Bradley	Ellis	McDonald	Slingerland
Bridges	Evans	McTernan	Strait
Brodsky	Ferris	Mead	Tallmadge
Bullock	Fish	Miller	Terpeny

Carpenter, I. S.	Fiske	Mitchell	Thilemann
Case	Gibbs	Moers	Tozier
Catlin	Gillette	Morgan	Travis
Chamberlain	Griggs	Newman	Treanor
Chase	Grosse	Nowlan	Tuthill, H. H.
Chickering	Gwinup	Parker	Tuttle, R. M.
Clancy	Havens	Peck	Van Valkenburg.
Clowes	Hayes	Phillips	Walsh
Cohen	Hoffman	Potter	Waterbury
Comstock	Howland	Roberts	Wells, D. A.
Congdon	Hurd	Root	Wells, J. L.
Cookinham	Husted	Russell	Wiley
Cullinan	Ingersoll	Sanders	Wren
Curtis			

Those who voted in the negative, were

Benedict, E. D.      Potts      Skinner

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to the office of commissioner of highways of the town of Stony Point, Rockland county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costello	Ingersoll	Seeley
Baker, B. F.	Cullinan	Kennedy	Shanley
Baker, C. S.	Curtis	Lefever	Sheridan
Beach	Davis	Lindsay	Shuit
Beates	Deane	Low	Sipp
Benedict, E. D.	Dougherty	McAvoy	Sisson
Benedict, T. E.	Duell	McCarthy	Skinner
Bennett	Duguid	McTernan	Slingerland
Bradley	Ellis	Miller	Strait
Bridges	Evans	Mitchell	Tallmadge
Brodsky	Ferris	Moers	Terpeny
Bullock	Fish	Morgan	Thilemann
Carpenter, I. S.	Fiske	Nowlan	Tozier
Catlin	Gibbs	Parker	Travis
Chamberlain	Gillette	Peck	Treanor
Chickering	Griggs	Phillips	Tuthill, H. H.
Clancy	Grosse	Potter	Tuttle, R. M.
Clowes	Gwinup	Potts	Van Valkenburgh
Cohen	Hoffman	Roberts	Waterbury
Comstock	Howland	Root	Wells, D. A.
Congdon	Hurd	Russell	Wells, J. L.
Cookinham	Husted	Sanders	Wren

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Morgan introduced a bill entitled "An act authorizing the village of Wellsville, N. Y., to appropriate portions of its highway

moneys to the laying of stone sidewalks," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

The bill entitled "An act in relation to the office of overseer of the poor of the town of Stony Point, Rockland county," was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative by a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Kennedy	Seeley
Baker, B. F.	Costello	Lefever	Shanley
Baker, C. S.	Cullinan	Lindsay	Sheridan
Beach	Deane	Low	Shuit
Beates	Duell	McAvoy	Sipp
Benedict, E. D.	Duguid	McCarthy	Sisson
Benedict, T. E.	Ellis	Mead	Skinner
Bradley	Evans	Miller	Slingerland
Bridges	Ferris	Mitchell	Strait
Brodskey	Fish	Moors	Terpeny
Bullock	Fiske	Newman	Thilemann
Carpenter, I. S.	Gillette	Nowlan	Tozier
Case	Gray	O'Brien	Travis
Catlin	Griggs	Parker	Treanor
Chamberlain	Grosse	Peck	Tuthill, H. H.
Chase	Havens	Potter	Tuttle, R. M.
Chickering	Hoffman	Potts	Van Valkenburg
Clowes	Howland	Roberts	Waterbury
Cohen	Hurd	Root	Wells, D. A.
Comstock	Husted	Russell	Wells, J. L.
Congdon	Ingersoll	Sanders	Wren

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. McCarthy moved to discharge the committee of the whole from the further consideration of the Senate bill entitled "An act to amend the Code of Civil Procedure," and that said bill do now have its third reading.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative by a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 9 }

Those who voted in the affirmative, were

Alvord	Costello	Ingersoll	Sheridan
Baker, B. F.	Cullinan	Kennedy	Shuit
Baker, C. S.	Davis	Lefever	Skinner
Beach	Deane	Lindsay	Slingerland
Beates	Dougherty	McAvoy	Strait
Benedict, E. D.	Duell	McCarthy	Terpeny

Benedict, T. E.	Duguid	Mead	Thilemann
Bridges	Ellis	Mitchell	Tozier
Brodsky	Evans	Mooers	Travis
Bullock	Ferris	Morgan	Treanor
Case	Fiske	Newman	Tuthill, H. H.
Catlin	Gibbs	Nowlan	Tuttle, R. M.
Chamberlain	Gillette	Parker	Van Valkenburgh
Chase	Griggs	Peck	Varnum
Chickering	Grosse	Potter	Walsh
Clancy	Gwinup	Potts	Waterbury
Clowes	Hayes	Russell	Wells, D. A.
Cohen	Hoffman	Seeley	Wells, J. L.
Comstock	Husted	Shanley	Wren
Congdon	Hynes		

Those who voted in the negative, were

Bradley	Howland	Phillips	Sanders
Cookinham	Low	Roberts	Sipp
Gray			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Potter moved to recommit the bill entitled "An act to amend chapter 353 of the Laws of 1867, entitled 'An act to consolidate the several school districts and parts of districts within the corporate limits of the village of Saratoga Springs, and to establish a free union school or schools therein,'" said bill not retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Skinner moved that the bill entitled "An act to regulate the rate of fare to be charged and collected by persons or corporations operating elevated railroads in the city of New York," do now have its third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 10 }

Those who voted in the affirmative, were

Alvord	Dougherty	Low	Shanley
Baker, C. S.	Duell	McAvoy	Sheridan
Beach	Duguid	McCarthy	Shuit
Beates	Ellis	McTernan	Sipp
Benedict, T. E.	Evans	Mead	Sisson
Bridges	Ferris	Miller	Skinner
Brodsky	Fish	Mooers	Slingerland
Bullock	Gibbs	Morgan	Tallmadge
Case	Gray	Newman	Terpeny
Chamberlain	Griggs	Nowlan	Tozier

Chickering	Grosse	O'Brien	Travis
Clancy	Gwinup	Parker	Treanor
Cohen	Hayes	Peck	Tuthill, H. H.
Comstock	Howland	Phillips	Tuttle, R. M.
Congdon	Hurd	Potts	Van Valkenburgh
Cookinham	Husted	Roberts	Varnum
Costello	Hynes	Root	Walsh
Cullinan	Ingersoll	Russell	Waterbury
Curtis	Kennedy	Sanders	Wells, J. L.
Davis	Lindsay	Seeley	Wren
Deane			

Those who voted in the negative, were

Baker, B. F.	Fiske	Mitchell	Wells, D. A.
Benedict, E. D.	Gillette	Potter	Mr. Speaker
Bradley	Hoffman		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to authorize the city of Auburn to take by gift, grant or devise lands in the town of Sennett for a public cemetery, and to provide for the care, management and protection of the same," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative by a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 77 }  
} NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Hynes	Root
Baker, B. F.	Curtis	Ingersoll	Russell
Baker, C. S.	Davis	Kennedy	Shanley
Beach	Dougherty	Lefever	Sisson
Beates	Duell	Low	Skinner
Benedict, E. D.	Duguid	McAvoy	Slingerland
Benedict, T. E.	Ellis	McCarthy	Terpeny
Bradley	Evans	Mead	Thilemann
Bridges	Ferris	Miller	Tozier
Brodsky	Gibbs	Mitchell	Travis
Bullock	Gray	Moors	Treanor
Case	Grosse	Morgan	Tuthill, H. H.
Chamberlain	Gwinup	Nowlan	Tuttle, R. M.
Chase	Havens	O'Brien	Van Valkenburgh
Chickering	Hayes	Parker	Varnum
Cohen	Hoffman	Phillips	Wells, D. A.
Comstock	Howland	Potter	Wells, J. L.
Congdon	Hurd	Potts	Wren
Cookinham	Husted	Roberts	Mr. Speaker
Costello			

*Ordered*, That the Clerk return said bill to the Senate, with message informing that the Assembly have concurred in the passage of the same.

On motion of Mr. Husted, and at 1 o'clock and 45 minutes House adjourned.

## MONDAY EVENING, MARCH 8, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Battershall.

The journal of Friday was read and approved.

Mr. Cushing stated that he was absent on Friday when the Assembly bill known as the "five cent elevated fare bill" in the city of New York, was passed, had he been here he would have voted in the affirmative.

Leave of absence was granted to Mr. Duguid, also Mr. Kennedy.

Privileges of the floor were granted to Hon. D. P. Wood, Hon. A. Hill and Hon. Demas Strong.

The Senate sent for concurrence the following resolutions:

*Resolved* (If the Assembly concur), That there be printed 1,000 copies of the Thirteenth Annual Report of the State Board of Charities, in paper covers, and 500 copies bound in muslin, for the use of the Board.

*Ordered*, That said resolution be referred to the committee on public printing.

*Resolved* (if the Assembly concur), That there be printed 1,000 extra copies of the annual report of the Trustees of the State Library, on fine paper, for the use of the trustees, of which 500 copies shall be bound in cloth, and 500 copies in paper covers, all to be paid for according to the prices stipulated in the contract for extra printing.

*Ordered*, That said resolution be referred to the committee on public printing.

The Senate sent for concurrence the concurrent resolution proposing an amendment to article 6 of the Constitution, which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Senate sent for concurrence the bills entitled as follows:

"An act to amend title 4, chapter 6, part 2 of the Revised Statutes, relating to the powers and duties of executors and administrators in relation to the sale and disposition of the real estate of their testator or intestate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act in relation to the deposit of stocks in the Bank Department," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to enforce the assessment of shareholders in banking associations to make good a deficit in capital," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

Mr. Slingerland introduced a bill entitled "An act for grading and planking Delaware avenue, in the city of Albany, from the north line of Warren street to the division line between the city of Albany and the town of Bethlehem, and to provide for the payment of the same,"



which was read the first time, and by unanimous consent was read the second time, and referred to the committee on affairs of cities.

Mr. Wiley (by request) introduced a bill entitled "A law for protecting game in the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

Mr. Beates introduced a bill entitled "An act for the preservation of fish, in the town of Davenport, Delaware county, N. Y.," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

Mr. Hurd introduced a bill entitled "An act to change the name of the Hamburg Cemetery Association to Prospect Lawn Cemetery Association, and to legalize certain acts of said association," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Wren introduced a bill entitled "An act to authorize the Equity Gas-light Company of the eastern district of the city of Brooklyn, to change its name," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

Mr. J. L. Wells introduced a bill entitled "An act extending the provisions and benefits of the mechanic lien laws to excavations, dredging or substructure for wharves, piers or slips, between wharves or piers, and to the construction, deepening or improvement of any water-course, channel or basin," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Low introduced a bill entitled "An act to protect a part of the waters of Lake Ontario," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

Mr. Cookinham introduced a bill entitled "An act to amend chapter 267 of the Laws of 1875, entitled 'An act for the incorporation of societies or clubs for certain recreative purposes,' passed March 14, 1876," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Case introduced a bill entitled "An act relating to certain burials in rural cemeteries," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Also, the bill entitled "An act to amend section 5 of chapter 448 of the Laws of 1876, entitled 'An act relating to courts, of office of justice and civil proceedings,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Comstock introduced a bill entitled "An act in relation to the Lansingburgh and Cohoes Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Tozier introduced a bill entitled "An act to amend an act entitled 'An act for the preservation of moose, wild deer, birds, fish, and other game,'" which was read the first time, and by unanimous

sent was also read the second time, and referred to the committee on game laws.

Mr. Travis, from the committee on privileges and elections, to which was referred the petition of Thomas Liddle, presented by Mr. Griggs, paying for his seat for the fifth district of Albany county, presented the following report and resolution, Messrs. Havens and T. E. Benedict dissenting therefrom:

*To the Honorable the Assembly of the State of New York:*

Your committee on privileges and elections, to which was referred the petition of Thomas Liddle, claiming the seat occupied by Joseph Hynes, from the fourth district of Albany county, respectfully report: That they have fully investigated the same, have sworn and examined over three hundred witnesses, and have received and examined the returns as made from said Assembly district outside of the fifth election district of the town of Watervliet, as well as from said fifth district, from which it appears that the petitioner, Thomas Liddle, received, outside of said fifth district, 3,374 votes, and Joseph Hynes, the sitting member, received, in the same portion of said Assembly district, 3,156 votes, leaving a majority for said Liddle of 218 votes.

That this portion of the returns was undisputed, the only contest or dispute being as to the said fifth district of the town of Watervliet.

That the aggregate vote of that district for member of Assembly, as given by the returns of the inspectors for that district, was 744, divided as follows:

For Joseph Hynes.....	556
For Thomas Liddle.....	181
For Thomas B. Boyd.....	7

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744

or a majority for Mr. Hynes over Mr. Liddle of 375, and which, if correct, elected said Hynes by a majority of 157.

Your committee respectfully further report that it was clearly proved before us that there were at least two hundred and eighty-three electors of the fifth district of said town of Watervliet who cast their ballots for the said Thomas Liddle at said poll, at the last election, which, in the judgment of your committee, impeaches the returns from that district, and renders it necessary, under the rules of law, to reject or throw out the said return, which would leave the said Liddle elected by a majority of 218.

Your committee, although having no doubt of their right and power, under the rules of law, to allow to said Liddle the 283 votes proved to have been cast for him at said poll, thus materially increasing his majority, have deemed it unnecessary.

Your committee further shows, that without throwing out such returns from said district entire, but allowing to said Liddle the number of votes thus proved to have been cast for him, the result would be as follows:

Whole number for both candidates.....	737
For Joseph Hynes.....	454
For Thomas Liddle.....	283—737

or a majority in that district for Mr. Hynes of 171, which deducted from the majority for Mr. Liddle outside this district of 218, would elect Mr. Liddle by a majority of 47.

Your committee further report, that in their opinion the inspectors in said district, and the clerks, or a portion of them, willfully and knowingly falsified the actual vote cast in said district, either by a count, or in announcing the result, in that they allowed to said Hynes a pile of ballots of 80 which belonged to or should have been allowed to the said Liddle, and when their attention was called to it, persisted in the claim that they belonged to said Hynes, and almost immediately swept the ballots into the box, thus preventing a discovery and correction of their crime or error.

Your committee further report, that this fraud upon the ballot was the better enabled to be perpetrated from the fact, that two of the inspectors belonged to the same political party with Mr. Hynes, both clerks also until about the time the canvass began, and then the suggestion of some person, the Republican inspector, being a married man, was induced to leave, and another nominal Republican, although a partisan of Mr. Hynes, voting and working for him, took his place, and because the inspectors did not each of them count all of the ballots, and the clerks did not see the count, and permitted one of their number to call off to the clerks the number of ballots in each pile for each of the candidates, and an understanding between him and one or both of the clerks could change the actual vote done, and the number of any pile without much fear of detection.

Your committee, therefore, suggest that further safeguards should be thrown around the counting of the ballots by the inspectors, either as provided for by the bill now before the Legislature, or in some other way, or the elections will be a mere mockery when in the hands of incompetent or dishonest inspectors and clerks.

Your committee, therefore, find and report that the said Thomas Liddle was duly elected member of Assembly from the fourth Assembly district of Albany county, and should have received the certificate of election instead of Joseph Hynes, and recommend the adoption of the following resolution:

*Resolved*, That Thomas Liddle was, at the last general election, elected to the Assembly from the fourth Assembly district of Albany county, which seat is now held by Joseph Hynes, and that the same seat to Thomas Liddle is hereby awarded the same.

All which is respectfully submitted.

DAVID W. TRAVIS,  
W. H. STEELE,  
H. J. HURD,  
C. H. DUELL,  
JOHN WARNER,  
PETER D. LEFEVE

Dated *March 8, 1880.*

Mr. Travis moved that said report be laid on the table, and ordered to be printed.

Mr. Speaker put the question whether the House would agree to the said motion, and it was determined in the affirmative.

Mr. Travis moved that said report be made a special order for Thursday morning, immediately after the reading of the journals.

Mr. Shanley moved to amend by making it a special order for Tuesday morning of next week, after the reading of the journal.

Mr. Speaker put the question whether the House would agree to the amendment of Mr. Shanley, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Travis, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Kennedy (introductory No. 640), entitled "An act to amend chapter 196 of the Laws of 1835, entitled 'An act to incorporate the village of Mount Morris,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Rhodes offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That John F. Smyth be and is hereby removed from the office of Superintendent of the Insurance Department, in pursuance of the provisions of chapter 335 of the Laws of 1867.

Said resolution giving rise to debate,

*Ordered*, That the same be laid upon the table.

Mr. Youngs offered for the consideration of the House a resolution in the words following:

*Whereas*, The property of the people of the State is inseparably connected with the prosperity of the cities of the State; and

*Whereas*, Grave doubts have arisen regarding the constitutionality of the Board of Estimate and Apportionment in the city of New York; therefore,

*Resolved* (if the Senate concur), That the Attorney-General be and he is hereby directed forthwith to institute such proceedings as may be necessary to obtain a final adjudication on the constitutionality of said board from the court of last resort.

Said resolution giving rise to debate,

*Ordered*, That the same be laid upon the table.

Mr. Wren offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee on internal affairs be instructed to report a bill on or before the 22d inst., to amend the present excise laws, so far as they relate to the cities of the State; the features of the bill to be reported by said committee, embracing the following provisions:

1. Abolishing the three bed or hotel clauses of the present law.
2. Making it possible for excise commissioners to grant licenses without subjecting said commissioners to the penalties to which they are liable, according to a decision rendered by one of the judges of the Supreme Court.
3. Making but one classification so that vexatious and unjust discriminations may be avoided.
4. Doing away with the present system of espionage, carried on by private persons, for their own aggrandizement.
5. Putting licensed dealers in intoxicants on the same basis as other legitimate tradesmen.
6. Providing for the repeal of that portion of the civil damage acts which makes proprietors of the buildings where liquors are sold liable for damages to the relatives of persons who are furnished liquor illegally by the occupants or lessees of such buildings.

Said resolution giving rise to debate,

*Ordered*, That the same be laid upon the table.

Mr. Hurd offered for the consideration of the House the following privileged resolution :

*Resolved*, That the Senate bill entitled "An act to amend sections 17 and 18, article 2, title 9, chapter 9, part 1 of the Revised Statutes in relation to the canals, substituted for Assembly bill No. 2, general order No. 298, be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Wiley introduced a bill entitled "An act for the relief of Bridget Gray of the city of Albany, widow of Samuel Gray, late of the city of Albany, county of Albany and State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

Messrs. Phillips and Cookinham presented petitions praying for the passage of a law providing for separate institutions for the detention and reformation of women ; which were read and referred to the committee on State prisons.

Messrs. Case and Seeley presented petitions against amendments to existing excise laws ; which were read and referred to the committee on internal affairs.

Mr. Shanley presented petitions of citizens of New York and Brooklyn in favor of additional ferry facilities at the foot of Whitehall street in New York ; which were read and referred to the committee on commerce and navigation.

Mr. J. L. Wells presented a petition of residents of the 24th Assembly district, praying for a reduction of fares on the New York and Harlem railroad ; which was read and referred to the committee on railroads.

Mr. Tuthill presented a petition of citizens of Cayuga, praying for the passage of the bill providing for an investigation of the charges against the insane asylum system ; which was read and referred to the committee on State charitable institutions.

Mr. Van Valkenburgh presented a petition of citizens of Wheelerfield, Niagara county, praying the Legislature for relief ; which was read and referred to the committee on canals.

Mr. Terry presented a petition in favor of repealing laws exempting church property and ministers of the gospel from taxation ; which was read and referred to the special committee on taxation and assessments.

Mr. Speaker presented a memorial asking that appropriate expressions be addressed to the Senators and Representatives of the State, directing them to secure to the inhabitants of the district of Columbia the rights of suffrage, representation and local government, which was read and referred to the committee on the judiciary.

Mr. Speaker announced the order of business general orders.

The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act to release the interest of the people of the State of New York in and to certain real estate in the city of Troy, in the county of Rensselaer, of which Arthur Mooney died seized, to Mary Jane Mooney, his widow."

"An act to regulate and protect the planting of oysters in the public waters of the town of Oyster Bay, Queens county."

Senate, "An act to amend sections 17 and 18 of article 2, title 9, chapter 9, part 1 of the Revised Statutes, entitled 'of the Canal Commissioners, and their general powers and duties.'"

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. E. D. Benedict, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. E. D. Benedict, from said committee, also reported progress on the second and last named bills, and asked and obtained leave to sit again.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act supplemental to the Code of Civil Procedure."

"An act to authorize trustees of religious corporations to arrest persons disturbing religious meetings."

"An act to incorporate the Grand Legion Select Knights of Ancient Order of United Workmen."

- And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Tozier, from said committee, reported progress on said bills, and asked and obtained leave to sit again.

Mr. Terry moved to discharge the committee of the whole from the further consideration of the first named bill, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

*Ordered*, That said bill be engrossed for a third reading.

• Mr. Phillips moved to discharge the committee of the whole from the further consideration of the third named bill, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to further amend the charter of the village of Cooperstown, in the county of Otsego."

"An act to repeal chapter 374 of the Laws of 1876, entitled 'An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction.'"

"An act amending the Code of Civil Procedure."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Cullinan, from said committee, reported in favor of the passage of the first named bill, with amendments, and title amended so as to read as follows: "To further amend chapter 108 of the Laws of 1868, entitled 'An act to further amend the charter of the village of Cooperstown,' which report was agreed to and the same ordered engrossed for a third reading.

Mr. Cullinan, from said committee, also reported in favor of the passage of the second named bill, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Cullinan, from said committee, also reported in favor of the passage of the third named bill, which report was agreed to, and the same ordered engrossed for a third reading.



Mr. Speaker presented a communication from the Attorney-General in response to a resolution of the Assembly adopted March 5, 1880, which was laid on the table and ordered printed.

(See Doc. No. 79.)

On motion of Mr. Terry, and at 10 o'clock and 30 minutes, House adjourned.

## TUESDAY MORNING, MARCH 9, 1880.

The House met pursuant to adjournment.

Prayer by Rev. J. H. Griffith, of Troy.

The journal of yesterday was read and approved.

A message from the Senate was received and read informing of concurrence in the passage of the bill entitled as follows:

"An act further to amend chapter 417 of the Laws of 1877, entitled 'An act to repeal certain acts and parts of acts.'"

*Ordered*, That the Clerk deliver said bill to the Governor.

The privileges of the floor were granted to Hon. W. W. Niles, Hon. T. C. Platt, Hon. E. W. Gallagher, Hon. Mr. Childs.

Mr. Speaker announced the special order of the day being Assembly bill No. 185, entitled "An act to amend chapter 379 of the Laws of 1879, entitled 'An act prescribing the officers and employees that may be elected, appointed or employed by the Senate and Assembly, fixing the salary and compensation thereof, and regulating the proceedings of investigating committees, and providing for the payment of the expenses thereof.'"

The House then resolved itself into a committee of the whole on the bill entitled as follows:

"An act to amend chapter 379 of the Laws of 1879, entitled 'An act prescribing the officers and employees that may be elected, appointed or employed by the Senate and Assembly, fixing the salary and compensation thereof, and regulating the proceedings of investigating committees, and providing for the payment of the expenses thereof.'"

And after some time spent therein, Mr. Speaker resumed the chair and Mr. Steele, from said committee, reported progress upon said bill, and asked and obtained leave to sit again.

By unanimous consent,

Mr. Husted introduced a bill entitled "An act to enable the Forsyth Street Methodist Episcopal Church to transfer its real estate to trustees," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charities and religious societies. Accompanied by a petition.

By unanimous consent,

Mr. Titus offered for the consideration of the House a resolution in the words following:

*Resolved*, That the Speaker and Clerk of this House be and they are hereby directed to cause an examination to be made of all bills now on general orders, and such bills as may be reported from any standing committee, and, from time to time, submit a list to the House of such as are properly referable to the sub-committee of the

whole; and the approval of the House of such list shall refer such bills to the sub-committee of the whole, with the same effect that separate resolutions now refer said bills; and that the title of all bills to be referred to the sub-committee of the whole shall be printed and placed on file before they are referred.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Bradley introduced a bill entitled "An act for the relief of the taxable inhabitants of the city of Yonkers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Newman introduced a bill entitled "An act regulating the opening and closing of draw-bridges over the Gowanus canal, in the city of Brooklyn, and authorizing the appointment of additional bridge tenders," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Pitcher introduced a bill entitled "An act to amend chapter 360 of the Laws of 1867, entitled 'An act to amend and consolidate the several acts in relation to the village of Rhinebeck,' passed February 2, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, the bill entitled "An act to amend chapter 451 of the Laws of 1877, entitled 'An act for the more effectual prevention of wanton and malicious mischief, and to prevent the defacement of natural scenery,' passed June 15, 1877," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Wren introduced a bill entitled "An act to amend chapter 467 of the Laws of 1879, entitled 'An act to amend chapter 459 of the Laws of 1877, entitled 'An act in relation to salaries, fees, percentage and allowances of the officers of the city of Brooklyn,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Brodsky introduced a bill entitled "An act to facilitate sales of real estate and provide for the satisfaction of any inchoate right of dower therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Youngs introduced a bill entitled "An act to provide for the honorable discharge of certain members of the National Guard," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the militia.

Mr. Clowes introduced a bill entitled "An act to amend section 4 of article 1, title 2, chapter 11 of part 1 of the Revised Statutes, relating to annual town meetings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Havens (by request) introduced a bill entitled "An act to amend chapter 265 of the Laws of 1848, entitled 'An act to provide for the incorporation and regulation of telegraph companies,'" which



was read the first time, and by unanimous consent was also read second time, and referred to the committee on general laws.

Also, the bill entitled "An act to amend chapter 611 of the Laws of 1875, entitled 'An act to provide for the organization and regulation of certain business corporations,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Lefever (by request) introduced a bill entitled "An act to provide for the payment of unpaid bounties to certain volunteers enlisted in the service of the United States and credited on the quota of Greenvale county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Terry introduced a bill entitled "An act to amend an act entitled 'An act to provide for the organization of certain business corporations,' passed June 21, 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Wells presented a petition of the medical college and hospital for women in the city of New York; which was read and referred to the committee on ways and means.

Mr. C. S. Baker presented a petition favoring repeal of law exempting church property from taxation; which was read and referred to the committee on taxation.

Messrs. Cropser and Sisson presented petitions against any change in the present excise laws; which were read and referred to the committee on internal affairs.

Mr. Sheridan presented a petition in favor of the bill introduced by Mr. Sheridan, to prevent interference with owners and captains of steamers engaged in the towage business; which was read and referred to the committee on commerce and navigation.

Mr. Hayes presented a petition in favor of the passage of a bill now pending, relative to a State Board of Health; which was read and referred to the committee on ways and means.

Mr. Mitchell presented a petition in favor of the bill authorizing the appointment of a commission to investigate the management of hospitals and insane asylums; which was read and referred to the committee on State charitable institutions.

Mr. Speaker presented a communication from the comptroller in reply to a resolution of the Assembly, requesting him to report at the earliest convenience what county treasurers have and what have not retained certain moneys; which was laid on the table and ordered to be printed.

Mr. Alvord moved that all escheat bills be referred by the Speaker and Clerk to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to the said motion, and it was determined in the affirmative.

Mr. Skinner moved that the time be extended for one week, for the consideration of Assembly bills Nos. 22 and 25, entitled "An act to regulate the transportation of freight by railroad corporation," and "An act to create a board of railroad commissioners, and to define and regulate their powers and duties, now before the committee on railroads."

Mr. Speaker put the question whether the House would agree to the said motion, and it was determined in the affirmative.

Mr. Skinner moved that the special order set down for Wednesday morning, on Assembly bills Nos. 22 and 25, be revoked.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Steele offered for the consideration of the House a resolution in the words following :

*Whereas*, The work of the special committee appointed to examine into and revise the laws in relation to assessment and taxation will be facilitated by the examination of experts in the matters referred to them; therefore

*Resolved*, That said special committee be authorized to send for persons and papers, and to employ W. S. Carpenter as stenographer, at a compensation of five dollars per day and actual expenses, time of service limited to thirty days.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

{ AYES 72 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alford	Duell	Nowlan	Steele
Baker, C. S.	Gillette	O'Brien	Tallmadge
Beach	Grosse	O'Connor	Terpeny
Beates	Gwinup	Parker	Terry
Benedict, T. E.	Hurd	Potts	Thilemann
Brodsky	Hynes	Rhodes	Titus
Bullock	Ingersoll	Root	Tozier
Carpenter, E. A.	Kennedy	Russell	Travis
Carpenter, I. S.	Lefever	Sanders	Tully
Catlin	Lindsay	Seeley	Tuttle, R. M.
Chickering	McAvoy	Shanley	Van Valkenburgh
Clowes	McCabe	Sheridan	Varnum
Comstock	McTernan	Sherman	Warner
Curtis	Miller	Shuit	Waterbury
Cushing	Mitchell	Sipp	Wells, J. L.
Davis	Mooers	Sisson	Wren
Dougherty	Morgan	Skinner	Youngs
Douglass	Newman	Slingerland	Mr. Speaker

Mr. Case offered for the consideration of the House the following privileged resolution :

*Resolved*. That the committee on the acoustics of the Assembly Chamber be discharged from the further consideration of the subject.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Case then offered for the consideration of the House a resolution in the words following :

*Resolved*, That a committee of five, of whom the Speaker shall be one, be appointed by the Speaker to consult with the architects and Commissioners of the Capitol as to the practicability of adopting any plan that will remedy the acoustic defects of the Assembly Chamber during the present legislative session, and report within ten days.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Catlin offered for the consideration of the House a resolution in the words following :

*Resolved*, That Assembly bill No. 234, general orders No. 251, titled "An act to provide for the construction, care and maintenance of the bridges over the Bronx river, between the city and county of New York and the county of Westchester, be considered in the full committee of the whole not full.

Mr. Speaker put the question whether the House would agree to a resolution, and it was determined in the affirmative, two-thirds of the members present voting in favor thereof.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 50), entitled "An act relative to lands under water in front of lands devised by James Morrell deceased," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Hayes offered for the consideration of the House a resolution in the words following :

*Resolved* (if the Senate concur). That 500 extra copies of the Twentieth Annual Report of the New York Institution for the Improvement of Deaf Mutes, be printed for the use of the Institution.

*Ordered*, That said resolution be referred to the committee on printing.

By unanimous consent,

Mr. Husted offered for the consideration of the House a resolution in the words following :

*Resolved* (if the Senate concur), That 500 copies of the annual report of the Homœopathic Medical Society of the State of New York, for the year 1880, be printed for the use of the said society.

*Ordered*, That said resolution be referred to the committee on printing.

This being the day assigned, under the rule, for the consideration of general orders,

Mr. Alvord moved that hereafter all bills called in general orders three times and not moved shall go to the foot of the calendar.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The House then resolved itself into a committee of the whole on bills entitled as follows :

Senate, "An act to amend sections 17 and 18, article 2, title 9, chapter 9, part 1 of the Revised Statutes, entitled 'Of the Canal Commissioners and their general powers and duties.'"

"An act to provide for the construction, care and maintenance of the bridges over the Bronx river, between the city and county of New York and the county of Westchester."

"An act to regulate and protect the planting of oysters in the public waters of the town of Oyster Bay, Queens county."

And after some time spent therein, Mr. Speaker resumed the chair and Mr. Bullock, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Bullock, from said committee, also reported in favor of the passage of the second named bill, which report was agreed to and same ordered engrossed for a third reading.

Mr. Bullock, from said committee, also reported in favor of striking out the enacting clause of the third named bill, which report was agreed to.

A message was received from the Governor in the words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, *March 9, 1880.* }

*To the Legislature :*

A certified copy of a memorial and resolution of the General Assembly of the State of Connecticut, passed March 5, 1880, relating to the law of this State regulating Hell Gate pilotage, is herewith respectfully submitted.

ALONZO B. CORNELL.

By unanimous consent,

Mr. Hayes introduced a bill entitled "An act for the relief of the Five Points House of Industry in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities :

The House again resolved itself into a committee of the whole, and after some time spent therein, Mr. B. F. Baker in the chair.

The hour of 2 having arrived, Mr. Speaker resumed the chair, and stated that according to a resolution of the House fixing the time for adjournment, the House stood adjourned until to-morrow morning at 11 o'clock.

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### WEDNESDAY MORNING, MARCH 10, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Stanton.

The journal of yesterday was read and approved.

Privileges of the floor were granted to the Hon. W. McDonald, Hon. E. Moore, Hon. John A. Munson, Hon. W. Baldwin, Hon. J. H. Tuthill, and Hon. C. V. B. Barse, former members of the Assembly.

Mr. Speaker presented the Thirty-sixth Annual Report of the Albany State Normal School; which was laid on the table and ordered printed.

(*See Doc. No. 84.*)

Leave of absence was granted to Messrs. McDonald and Brennan, on account of sickness.

Mr. Skinner introduced a bill entitled "An act to legalize the acts of Franklin C. Whitney as a notary public," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Tallmadge introduced a bill entitled "An act to amend chapter 305 of the Laws of 1878, entitled 'An act to provide for a police commissioner in the town of New Lots, Kings county, and to establish a police force therein,' passed May 22, 1878," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. E. D. Benedict introduced a bill entitled "An act to amend an act entitled 'An act to provide for a police commissioner in the town of New Lots, Kings county, and to establish a police force therein,' passed May 22, 1878, and known as chapter 305, Laws of 1878," which was read the first time, and by unanimous consent was also

read the second time, and referred to the committee on interior affairs.

Mr. J. L. Wells introduced a bill entitled "An act to prevent adulteration of drugs, medicines and chemicals," which was read the first time, and by unanimous consent was also read the second time and referred to the committee on public health.

Mr. Root introduced a bill entitled "An act to establish a quorum of the local board of the Brockport Normal and Training School," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Root, and by unanimous consent, the rule was suspended and said bill ordered engrossed for a third reading.

Mr. Youngs introduced a bill entitled "An act to amend chapter 426 of the Laws of 1879, entitled 'An act to extend the time allowed the New York and Long Island Bridge Company to construct a bridge over the East river between the city of New York and Long Island,' and to repeal section 7 of chapter 390 of the Laws of 1867, entitled 'An act to incorporate the New York and Long Island Bridge Company,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Lefever introduced a bill entitled "An act to amend section 59 of the Laws of 1861, entitled 'An act to amend the charter of the Poughkeepsie and New Paltz Ferry Company,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Terry introduced a bill entitled "An act in relation to evidence in criminal cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Brodsky introduced a bill entitled "An act to better regulate coroners' inquests in the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Mitchell (by request) introduced a bill entitled "An act to amend an act entitled 'An act to secure better administration of the police courts of the city of New York,' passed May 17, 1864," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Case introduced a bill entitled "An act to amend chapter 174 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,' passed May 22, 1864, three-fifths being present," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Speaker introduced a bill entitled "An act amending the heretofore passed in relation to the charter of the village of Saugerties, Ulster county, viz.: chapter 262 of the Laws of 1855, chapter 8 of the Laws of 1866, chapter 174 of the Laws of 1870, and chapter 174 of the Laws of 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, the bill entitled "An act to amend an act entitled 'An

to authorize the election of one overseer of the poor in the town of Saugerties, Ulster county," passed April 3, 1861," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Also, the bill entitled "An act fixing the salary of the town clerk and commissioner of highways of the town of Saugerties, Ulster county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, the bill entitled "An act entitled 'An act to fix and regulate the rates of toll on the Overlook Turnpike Company in the counties of Ulster and Greene,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges."

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Hayes (introductory No. 94), entitled "An act to incorporate an exchange salesroom in the city of New York, and to designate the place for judicial sales of real estate in said city," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 43), entitled "An act to authorize and direct the board of supervisors of Kings county to make suitable provisions to reimburse Walter L. Livingston for all legitimate costs, counsel fees and expenses which have been incurred by him in and about a certain action of *quo warranto*, brought against him to oust him from the office of surrogate of the county of Kings," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Shanley (introductory No. 676), entitled "An act to relieve property heavily incumbered by taxes and assessments in the city of Brooklyn, and to enable the city to realize a portion of its claims thereon, to the end that such property may be improved and again become tax-paying property," reported said bill for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

Mr. E. A. Carpenter moved that said bill be recommitted to the committee on affairs of cities, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. McCarthy (introductory No. 693), entitled "An act in relation to the sheriff of the city and county of New York," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Hayes (introductory No. 276), entitled "An act to provide for the payment of the expenses of the Department of Docks of the city of New York, and for the acquisition of property for dock purposes," with some amendments and the bill amended so as to read as follows: "An act to amend subdivision 11 of section 99 of chapter 137 of the Laws of 1870, entitled 'An act



- to amend an act to reorganize the local government of the city of New York," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Comstock (introductory No. 690), entitled "An act to amend chapter 271 of the Laws of 1834, entitled 'An act for establishing a justice court in the city of Troy,' passed May 5, 1834," and the several acts amendatory thereof and supplemental thereto; and also to amend chapter 56 of the Laws of 1841, entitled "An act to provide for the election of the justices and the clerk of the justices' court in and for the city of Troy, and the appointment of a marshal," passed February 28, 1848, and the several acts amendatory thereof and supplemental thereto; and also to amend chapter 18 of the Laws of 1876, entitled "An act in relation to the police court and justices' court of the city of Troy, passed February 11, 1876," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Costello (introductory No. 541), entitled "An act to amend chapter 177 of the Laws of 1879, entitled 'An act to confer powers upon the common council of the city of New York, to complete the restoration of Tompkins Square as a public park,'" with some amendments and the title amended to read as follows: "An act to confer power upon the common council of the city of New York to complete the restoration of Tompkins Square as a public park," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Russell (introductory No. 103), entitled "An act in relation to the government of the city of Brooklyn," reported said bill for the consideration of the House with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. E. A. Carpenter moved to recommit said bill to the committee on affairs of cities, retaining its place on general orders.

- Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 57), entitled "An act to amend chapter 497 of the Laws of 1874, entitled 'An act to amend the charter of the city of Poughkeepsie, and to consolidate with it other acts relating to said city,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. E. A. Carpenter moved that the committee on affairs of cities be discharged from the further consideration of the bill introduced by Mr. McDonald (introductory No. 689), entitled "An act to secure the payment of mechanics, laborers and workmen who perform work; also persons furnishing materials toward the erection, altering, repairing building wharves, vaults, or any other structures in the cities of the State," and that the same be referred to the committee on the judiciary.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Curtis, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Husted (introductory No. 719), entitled "An act to enable the Forsyth Street Methodist Episcopal Church to transfer its real estate to trustees," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sherman, from the committee on public education, to which was referred the bill introduced by Mr. Lefever (introductory No. 672), entitled "An act to vest certain powers in the Kingston board of education, and to facilitate the collection of taxes in the Kingston school district," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to release the interest of the people of the State of New York in and to certain real estate in the city of Troy, in the county of Rensselaer, of which Arthur Mooney died seized, to Mary Jane Mooney, his widow."

"An act to amend chapter 108 of the Laws of 1866, entitled 'An act to further amend the charter of the village of Cooperstown, in the county of Otsego.'"

"An act to repeal chapter 374 of the Laws of 1876, entitled 'An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction.'"

"An act amending the Code of Civil Procedure."

"An act to provide for the construction, care and maintenance of the bridges over the Bronx river, between the city and county of New York and the county of Westchester."

Mr. Cookinham, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows:

"An act supplemental to the Code of Civil Procedure."

The bill entitled "An act to release the interest of the people of the State of New York in and to lands of which Richard Byrd and Joseph Byrd died seized to Mary S. Bradley," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 97 }  
{ NOES 00 }

Those who voted in the affirmative, were.

Alvord	Cushing	Kennedy	Shanley
Andrews	Davis	Lefever	Sheridan
Ash	Deane	Lindsay	Shuit
Baker, B. F.	Dougherty	Low	Sipp
Beach	Douglass	McAvoy	Sisson
Beates	Duell	McCabe	Slinner
Benedict, E. D.	Ellis	McTernan	Slingerland
Bennett	Evans	Mead	Steele
Bradley	Fish	Miller	Strait



Bridges	Fiske	Mitchell	Tallmadge
Brodsky	Gibbs	Moers	Terpeny
Carpenter, E. A.	Gillette	Newman	Terry
Carpenter, I. S.	Gorsline	Nowlan	Titus
Catlin	Gray	O'Connor	Tozier
Chase	Griggs	Parker	Tully
Chickering	Grosse	Peck	Tuthill, H. H.
Childs	Gwinup	Pitcher	Tuttle, R. M.
Clowes	Hagan	Potter	Van Valkenburgh
Comstock	Havens	Potts	Varnum
Congdon	Hoffman	Rhodes	Waterbury
Cookinham	Howland	Root	Wells, J. L.
Costello	Hurd	Russell	Weston
Crapser	Husted	Sanders	Wren
Cullinan	Ingersoll	Seeley	Youngs
Curtis			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Youngs moved to take from the table the motion to reconsider the vote by which the bill entitled "An act entitled 'An act to authorize the town of Flushing, in Queens county, to borrow money and issue bonds therefor, for the purpose of paying' the indebtedness of said town,'" was lost.

Mr. Speaker put the question whether the House would agree to take said motion from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion to reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members present voting in favor thereof.

{ AYES 87 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Lefever	Shuit
Andrews	Curtis	Lindsay	Sipp
Ash	Davis	Low	Sisson
Baker, B. F.	Dougherty	McCabe	Skinner
Beach	Douglass	Mead	Stingerland
Beates	Duell	Miller	Steele
Benedict, E. D.	Ellis	Mitchell	Tallmadge
Bradley	Evans	Moers	Terpeny
Bridges	Ferris	Newman	Terry
Bullock	Fish	Nowlan	Titus
Carpenter, E. A.	Fiske	O'Connor	Tozier
Carpenter, I. S.	Fitzgerald	Parker	Travis
Catlin	Gibbs	Peck	Tully
Chamberlain	Gillette	Phillips	Tuthill, H. H.
Chase	Gorsline	Pitcher	Tuttle, R. M.
Chickering	Grosse	Potts	Van Valkenburgh
Clowes	Gwinup	Roberts	Varnum
Comstock	Hoffman	Root	Waterbury
Congdon	Howland	Russell	Wells, J. L.
Cookinham	Hurd	Shanley	Weston
Costello	Ingersoll	Sheridan	Youngs
Crapser	Kennedy	Sherman	

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 92 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costello	Ingersoll	Sherman
Andrews	Crapser	Kennedy	Sipp
Ash	Curtis	Lefever	Skinner
Baker, B. F.	Cushing	Lindsay	Slingerland
Beach	Davis	McAvoy	Steele
Beates	Deane	McCabe	Strait
Benedict, E. D.	Dougherty	Mead	Tallmadge
Benedict, T. E.	Douglass	Miller	Terpeny
Bradley	Duell	Mooers	Terry
Bredsky	Ellis	Newman	Thilemann
Bullock	Evans	Nowlan	Titus
Carpenter, E. A.	Ferris	Parker	Tormey
Carpenter, I. S.	Fish	Peck	Travis
Catlin	Fiske	Pitcher	Tully
Chamberlain	Fitzgerald	Potter	Tuthill, H. H.
Chase	Gibbs	Potts	Tuttle, R. M.
Chickering	Gillette	Rhodes	Van Valkenburgh
Childs	Gorsline	Roberts	Varnum
Clowes	Griggs	Root	Waterbury
Cohen	Grosse	Russell	Wells, J. L.
Comstock	Hoffman	Sanders	Weston
Congdon	Hurd	Seeley	Wren
Cookinham	Hynes	Sheridan	Youngs

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to prevent fraud against creditors in matters of record," having been amended for a third reading, Mr. Travis moved to recommit said bill to the committee on the judiciary, with instructions to amend the same as follows:

Inserting in line 3 of engrossed bill, after the word "mortgage," the words "executed, after this act takes effect," also striking out in line 11, all after the word "instrument."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Terry, from the committee on the judiciary, reported back said bill amended pursuant to the instructions of the House.

Said bill, as amended, was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 83 }  
{ NOES 3 }

Those who voted in the affirmative, were

Andrews	Cullinan	Ingersoll	Sheridan
Ash	Cushing	Kennedy	Shuit
Baker, B. F.	Davis	Lefever	Sipp
Beach	Deane	Lindsay	Sisson



*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to amend subdivision 1 of section 9 of article 2, title 4, chapter 6, part 1 of the Revised Statutes, in relation to elections and ballots," having been announced for a third reading, Mr. Shanley moved to recommit the same to the committee on general laws, with instructions to amend the same so that it shall not apply to the county of Kings.

Mr. Alvord moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Shanley, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }  
{ NOES 22 }

Those who voted in the affirmative, were

Alvord	Crapser	Kennedy	Sherman
Andrews	Cullinan	Lefever	Shuit
Baker, B. F.	Curtis	Lindsay	Sisson
Baker, C. S.	Deane	McCabe	Skinner
Beach	Douglass	Mitchell	Slingerland
Beates	Duell	Moors	Steele
Benedict, T. E.	Duguid	Morgan	Tallmadge
Bradley	Ferris	Nowlan	Terry
Bridges	Fish	Peck	Titus
Brodsky	Fiske	Phillips	Tosier
Bullock	Gillette	Pitcher	Travis
Carpenter, E. A.	Gorsline	Potter	Tuthill, H. H.
Carpenter, I. S.	Gray	Potts	Tuttle, R. M.
Chamberlain	Griggs	Roberts	Van Valkenburgh
Chase	Grosse	Root	Varnum
Chickering	Gwinup	Russell	Waterbury
Childs	Howland	Sanders	Wells, D. A.
Clowes	Hurd	Seeley	Wren
Comstock	Husted	Sheridan	Youngs
Congdon			

Those who voted in the negative, were

Benedict, E. D.	Ellis	Newman	Thilemann
Clancy	Fitzgerald	O'Connor	Tormey
Cohen	Gibbs	Rhodes	Treanor
Costello	Hynes	Shanley	Tully
Cushing	McAvoy	Terpeny	Walsh
Dougherty	McTernan		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend sections 9 and 28 of chapter 140 of the Laws of 1850, entitled 'An act to authorize the formation of railroad corporations and to regulate the same,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	McCabe	Slingerland
Andrews	Crapser	McCarthy	Steele
Baker, C. F.	Cullinan	Miller	Strait
Beach	Curtis	Mitchell	Tallmadge
Beates	Douglass	Nowlan	Terpeny
Benedict, E. D.	Duell	O'Connor	Terry
Benedict, T. E.	Duguid	Peck	Titus
Bradley	Ellis	Phillips	Tozier
Bridges	Evans	Potter	Treanor
Brodsky	Fish	Potts	Tully
Bullock	Fitzgerald	Root	Tuthill, H. H.
Carpenter, E. A.	Gorsline	Russell	Tuttle, R. M.
Carpenter, I. S.	Griggs	Sanders	Van Valkenburgh
Catlin	Gwinup	Seeley	Varnum
Chamberlain	Hagan	Shanley	Warner
Chase	Hayes	Sheridan	Waterbury
Chickering	Howland	Sherman	Wells, D. A.
Clowes	Hurd	Shuit	Wells, J. L.
Comstock	Lefever	Sisson	Weston
Congdon	McAvoy	Skinner	Wren

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker presented a communication from the Secretary of State, in reply to a resolution of the Assembly; which was laid on the table and ordered printed.

(See Doc. No. 53.)

Mr. Speaker announced the following a select committee on the acoustics of the Assembly chamber: Messrs. Speaker, Case, Alvord, Husted and Dougherty.

The Senate sent for concurrence the bills entitled as follows:

"An act to provide for the payment of water bonds issued by the village of Goshen, in the county of Orange," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

"An act to authorize the purchase of a stone crusher by the town of Manheim," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act concerning tramps," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act in relation to the government of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act for the relief of Abel Crook," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act for the relief of Mary A. Vandewater, administratrix of Henry Vandewater, deceased, which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

A message from the Senate was received and read, informing of concurrence in the passage of the bills entitled as follows:

"An act making an appropriation to pay the expense of the publication of the concurrent resolutions proposing amendments to the Constitution, under the direction of the Secretary of State in 1879."

"An act to authorize the sale of lands in the town and village of Saratoga Springs, for unpaid State, county and municipal taxes, including water rates and special assessments."

"An act to amend section 3 of chapter 110 of the Laws of 1876, entitled 'An act supplemental to chapter 60 of the Laws of 1813, entitled 'An act to provide for the incorporation of religious societies and of the several acts amendatory thereof.'"

*Ordered*, That the Clerk deliver said bills to the Governor.

Mr. Howland presented a remonstrance of Onondaga Indians against the passage of a bill to authorize a treaty with them; which was read and referred to the committee on internal affairs.

Mr. Ingersoll presented a petition of citizens of Chautauqua county against any change in the excise law; which was read and referred to the committee on internal affairs.

Mr. Fiske presented petitions in favor of separate institutions for the detention and reformation of convicted women; which were read and referred to the committee on State prisons.

Mr. Steele presented a petition of residents and tax payers of the town of Constantine, Oswego county, in favor of a law taxing city and town railroad bonds in localities where issued and exempting them elsewhere; which was read and referred to the committee on ways and means.

Mr. Weston presented a petition in favor of an examination into the present management of the insane asylums; which was read and referred to the committee on State charitable institutions.

Mr. Roberts presented a memorial of citizens of Buffalo asking for an appropriation for dredging the Ohio basin; which was read and referred to the committee on canals.

The bill entitled "An act supplemental to the Code of Civil Procedure," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 7 }

Those who voted in the affirmative, were

Andrews	Cushing	Newman	Tallmadge
Baker, B. F.	Davis	Nowlan	Terpeny
Baker, C. S.	Deane	Parker	Terry
Beach	Dougherty	Peck	Thilemann
Beates	Duell	Phillips	Titus
Bradley	Evans	Potter	Tormey
Bridges	Ferris	Potts	Travis
Brooklyn	Fish	Rhodes	Treanor

Bullock	Fiske	Roberts	Tully
Carpenter, I. S.	Gray	Rustell	Tuthill, H. H.
Catlin	Gwinup	Sanders	Tuttle, R. M.
Chamberlain	Hayes	Seeley	Varnum
Childs	Howland	Shanley	Walsh
Clark	Lefever	Sheridan	Warner
Clowes	Low	Sherman	Waterbury
Congdon	McCabe	Sipp	Wells, J. L.
Costello	McCarthy	Sisson	Weston
Crapser	Miller	Skinner	Wren
Cullinan	Mitchell	Strait	Youngs
Curtis	Mooers		

Those who voted in the negative, were

Alvord	Chickering	Ellis	Steele
Carpenter, E. A.	Cohen	Shuit	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Varnum introduced a bill entitled "An act to facilitate the erection of a new building by the New York Produce Exchange in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Trainor introduced a bill entitled "An act for the better protection of the mechanics of this State, by regulating the use of convict labor in the several prisons," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State prisons.

By unanimous consent,

Mr. Phillips introduced a bill entitled "An act to incorporate Alert Hose Company No. 3, Medina, N. Y.," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

By unanimous consent,

Mr. Curtis introduced a bill entitled "An act to exempt the town of Greene, Chenango county, from the provisions of chapter 175 of the Laws of 1870, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

By unanimous consent,

Mr. Terpeny introduced a bill entitled "An act in relation to arrears of taxes in the city of New York, and to provide for the re-issuing of revenue bonds in anticipation of such taxes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The bill entitled "An act to amend an act entitled 'An act to authorize the formation of railroad corporations, and to regulate the same,' passed April 2, 1850," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Hayes	Russell
Andrews	Cookinham	Hoffman	Seeley
Ash	Costello	Howland	Sheridan
Baker, B. F.	Crapser	Husted	Sherman
Baker, C. S.	Cullinan	Hynes	Shuit
Beach	Curtis	Ingersoll	Skinner
Beates	Cushing	Kennedy	Slingerland
Benedict, T. E.	Davis	Lefever	Steele
Bradley	Deane	Low	Terry
Bridges	Dougherty	McCabe	Thilemann
Brodsky	Douglass	Mead	Titus
Bullock	Duell	Miller	Torney
Carpenter, E. A.	Duguid	Mitchell	Tozier
Carpenter, I. S.	Ellis	Mooers	Travis
Catlin	Evans	Morgan	Tully
Chamberlain	Ferris	Nowlan	Tuthill, H. H.
Chase	Fish	Parker	Tuttle, R. M.
Chickering	Fiske	Peck	Waterbury
Childs	Fitzgerald	Phillips	Wells, J. L.
Clancy	Gibbs	Pitcher	Weston
Clark	Gorsline	Potter	Wiley
Clowes	Gray	Potts	Wren
Cohen	Gwinup	Rhodes	Youngs
Comstock			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend section 16 of article 3, chapter 6, part 1 of the Revised Statutes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 73 }  
{ NOES 5 }

Those who voted in the affirmative, were

Alvord	Curtis	Ingersoll	Shuit
Ash	Davis	Lefever	Sisson
Baker, B. F.	Deane	Lindsay	Skinner
Baker, C. S.	Douglass	McAvoy	Steele
Beach	Duell	Mead	Tallmadge
Beates	Duguid	Miller	Terpeny
Benedict, T. E.	Evans	Mitchell	Terry
Bridges	Ferris	Mooers	Titus
Brodsky	Fish	Nowlan	Travis
Bullock	Fitzgerald	Potter	Tuthill, H. H.
Carpenter, I. S.	Gorsline	Potts	Tuttle, R. M.
Catlin	Gray	Roberts	Van Valkenburgh
Chase	Grosse	Root	Varnum
Chickering	Hagan	Russell	Warner
Clowes	Hayes	Sanders	Wells, J. L.
Comstock	Hoffman	Seeley	Weston
Congdon	Howland	Sheridan	Wren
Crapser	Husted	Sherman	Youngs
Cullinan			



Those who voted in the negative, were

Cohen	O'Connor	Tully	Walsh
Cushing			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize and empower the State Board of Audit to adjust and settle certain differences existing between the State and the county of Monroe," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costello	Husted	Sheridan
Ash	Crapser	Hynes	Sherman
Baker, B. F.	Curtis	Ingersoll	Sisson
Baker, C. S.	Davis	Lefever	Skinner
Beach	Deane	McAvoy	Slingerland
Beates	Douglass	McCabe	Strait
Benedict, E. D.	Duell	McTernan	Terpeny
Bradley	Duguid	Mead	Terry
Bridges	Ellis	Miller	Travis
Brodsky	Evans	Mitchell	Tully
Bullock	Ferrie	Morgan	Tuthill, H. H.
Carpenter, E. A.	Fish	Nowlan	Tuttle, R. M.
Carpenter, I. S.	Gillette	O'Connor	Varnum
Catlin	Gorsline	Parker	Warner
Chickering	Gray	Phillips	Waterbury
Clark	Grosse	Potter	Wells, J. L.
Clowes	Gwinup	Roberts	Weston
Cohen	Hagan	Sanders	Wren
Comstock	Hoffman	Seeley	Youngs
Cookinham	Howland		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to the incorporation of villages," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Husted	Shuit
Andrews	Cookinham	Ingersoll	Sisson
Ash	Costello	Lefever	Skinner
Baker, B. F.	Crapser	McAvoy	Slingerland
Baker, C. S.	Cushing	McCabe	Strait
Beach	Davis	McTernan	Tallmadge
Beates	Douglass	Miller	Terpeny
Benedict, E. D.	Duell	Mitchell	Terry

Bradley	Duguid	Moors	Titus
Bridges	Ellis	Newman	Tormey
Brodsky	Evans	Parker	Travis
Bullock	Ferris	Phillips	Tully
Carpenter, E. A.	Fish	Pitcher	Tuthill, H. H.
Carpenter, I. S.	Fiske	Potter	Tuttle, R. M.
Catlin	Fitzgerald	Potts	Warner
Chamberlain	Gibbs	Roberts	Waterbury
Chase	Gillette	Russell	Wells, J. L.
Chickering	Gorsline	Sanders	Weston
Clark	Gwinup	Seeley	Wiley
Cohen	Hoffman	Sheridan	Wren
Comstock	Howland	Sherman	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. E. A. Carpenter introduced a bill entitled "An act to authorize corporations formed for the erection of buildings to mortgage their property and franchises," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Costello offered for the consideration of the House a resolution in the words following :

*Resolved*, That Assembly bill entitled "An act to confer powers upon the common council of the city of New York to complete the restoration of Tompkins Square as a park," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Chickering, from the committee on game laws, to which was referred the bill introduced by Mr. Catlin (introductory No. 648), entitled "An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Chickering, from the committee on game laws, to which was referred the bill introduced by Mr. Kennedy (introductory No. 599), entitled "An act to amend section 37, chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,' passed June 20, 1879," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Chickering, from the committee on game laws, to which was referred the bill introduced by Mr. Youngs (introductory No. 279), entitled "An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Chickering, from the committee on game laws, to which was referred the bill introduced by Mr. Tozier (introductory No. 713), entitled "An act to amend an act for the preservation of moose, wild deer, birds, fish and other game, passed June 20, 1879," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Chickering, from the committee on game laws, to which was referred the bill introduced by Mr. Wiley (introductory No. 710), entitled "An act for protecting game in the State of New York," reported adversely thereto, which report was agreed to.

Mr. Chickering, from the committee on game laws, to which was referred the Senate bill (introductory No. 34), entitled "An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

The bill entitled "An act to release the interest of the people of the State of New York in and to certain real estate in the city of Troy, in the county of Rensselaer, of which Arthur Mooney died seized to Mary Jane Mooney, his widow," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 95 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Husted	Sisson
Andrews	Costello	Hynes	Skinner
Ash	Crapsier	Ingersoll	Slingerland
Baker, B. F.	Cushing	Kennedy	Strait
Baker, C. S.	Davis	Lefever	Tallmadge
Beach	Deane	Lindsay	Terpeny
Beates	Douglas	McCabe	Terry
Benedict, E. D.	Duell	McTernan	Thilemann
Benedict, T. E.	Duguid	Mead	Titus
Bradley	Ellis	Miller	Tozier
Bridges	Evans	Mitchell	Travis
Brodsky	Ferris	Mooers	Treanor
Bullock	Fish	Morgan	Tully
Carpenter, E. A.	Fitzgerald	Newman	Tuthill, H. H.
Carpenter, I. S.	Gibbs	Nowlan	Tuttle, R. M.
Catlin	Gillette	Parker	Walsh
Chamberlain	Goralline	Phillips	Warner
Chase	Gray	Potter	Wells, J. L.
Chickering	Griggs	Potts	Weston
Clark	Grosse	Rhodes	Wiley
Clowes	Gwinup	Roberts	Wren
Cohen	Havens	Russell	Youngs
Comstock	Hoffman	Sherman	Mr. Speaker
Congdon	Howland	Shuit	

*~ Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 108 of the Laws of 1866, entitled 'An act to further amend the charter of the village of Cooperstown, in the county of Otsego,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
 { NOES 00 }

Those who voted in the affirmative, were

Andrews	Clowes	Ingersoll	Seeley
Ash	Cohen	Kennedy	Sherman
Baker, B. F.	Comstock	Lefever	Shuit
Baker, C. S.	Costello	Lindsay	Skinner
Beach	Crapser	McAvoy	Slingerland
Beates	Cushing	McCabe	Strait
Benedict, T. E.	Davis	McCarthy	Terpeny
Bennett	Deane	Mitchell	Terry
Bradley	Douglass	Mooers	Thilemann
Bridges	Duell	Morgan	Tozier
Brodsky	Ellis	Newman	Travis
Bullock	Evans	Nowlan	Tully
Carpenter, E. A.	Ferris	Parker	Tuthill, H. H.
Carpenter, I. S.	Fish	Phillips	Walsh
Case	Gibbs	Potter	Warner
Catlin	Gorsline	Potts	Wells, J. L.
Chamberlain	Griggs	Rhodes	Weston
Chase	Havens	Roberts	Wren
Chickering	Hoffman	Root	Youngs
Clark	Howland	Russell	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend the Code of Civil Procedure," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
 { NOES 00 }

Those who voted in the affirmative, were

Alvord	Costello	Hoffman	Rhodes
Andrews	Crapser	Howland	Roberts
Ash	Curtis	Husted	Root
Baker, B. F.	Cushing	Hynes	Seeley
Baker, C. S.	Davis	Ingersoll	Sisson
Beach	Deane	Lefever	Skinner
Beates	Douglass	Low	Slingerland
Bradley	Duell	McAvoy	Steele
Bridges	Duguid	McCabe	Strait
Brodsky	Ellis	Mead	Terpeny
Bullock	Evans	Miller	Titus
Carpenter, E. A.	Ferris	Mitchell	Tozier
Carpenter, I. S.	Fish	Mooers	Treanor
Case	Fitzgerald	Morgan	Tully
Chamberlain	Gibbs	Newman	Tuthill, H. H.
Chickering	Gillette	Nowlan	Walsh
Clowes	Gorsline	O'Connor	Warner
Cohen	Groase	Parker	Waterbury
Comstock	Gwinup	Phillips	Wren
Congdon	Hagan	Potter	Youngs
Cookinham	Hayes		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the construction, care and maintenance of the bridges over the Bronx river, between the city and county of New York and the county of Westchester," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative by a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costello	Howland	Roberts
Andrews	Crapser	Ingersoll	Root
Baker, B. F.	Curtis	Kennedy	Sanders
Baker, C. S.	Cushing	Lefever	Sheridan
Beach	Davis	Lindsay	Shuit
Beates	Deane	Low	Sisson
Benedict, E. D.	Douglas	McAvoy	Skinner
Bridges	Duell	McCabe	Slingerland
Brodsky	Duguid	McCarthy	Terpeny
Bullock	Ellis	McTernan	Terry
Carpenter, E. A.	Evans	Miller	Treanor
Carpenter, I. S.	Ferris	Mitchell	Tully
Case	Fitzgerald	Mooers	Tuthill, H. H.
Catlin	Gibbs	Newman	Tuttle, R. M.
Chamberlain	Gillette	Nowlan	Van Valkenburg
Chase	Gorsline	Parker	Walsh
Chickering	Griggs	Peck	Warner
Clowes	Grosse	Phillips	Wells, J. L.
Cohen	Gwinup	Potter	Weston
Comstock	Hayes	Potts	Wren
Congdon	Hoffman	Rhodes	Youngs
Cookinham			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Sherman offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill introductory No. 155, general order No. 391, entitled "An act relative to the common schools in the city and county of New York," be recommitted to the committee on public education, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Duell offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 316, general order No. 316, entitled "An act to provide for the compilation and revision of the Laws of the State of New York, affecting banks, banking and trust companies," be sent to the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of the members present voting in favor thereof.

Mr. Mitchell offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee on railroads be requested, if deemed

advisable by them, to report a bill to repeal so much of section 38 of chapter 140 of the Laws of 1850, as reads as follows: "but the same shall not, without the consent of the corporation, be so reduced as to produce with said profits less than ten per centum per annum on the capital actually expended; nor unless on an examination of the amounts received and expended, to be made by the State Engineer and Surveyor, and the Comptroller, they shall ascertain that the net income derived by the company from all sources for the year then last past shall have exceeded an annual income of ten per cent upon the capital of the corporation actually expended."

Said resolution giving rise to debate,

*Ordered*, That the same be laid upon the table.

Mr. Wren called for the consideration of the resolution heretofore offered by him, in the words following:

*Resolved*, That the committee on internal affairs be instructed to report a bill on or before the 22d inst., to amend the present excise laws, so far as they relate to the cities of the State, the features of the bill to be reported by said committee embracing the following provisions:

1. Abolishing the three-bed or hotel clauses of the present law.
2. Making it possible for excise commissioners to enforce the penalties to which they are liable, according to a decision rendered by one of the judges of the Supreme Court.
3. Making but one classification, so that vexatious and unjust discriminations may be avoided.
4. Doing away with the present system of espionage carried on by private persons for their own aggrandizement.
5. Putting licensed dealers in intoxicants on the same basis as other legitimate tradesmen.
6. Providing for the repeal of that portion of the civil damage acts which makes proprietors of the buildings where liquors are sold liable for damages to the relatives of persons who are furnished liquor illegally by the occupants or lessees of such buildings.

Mr. Alvord moved to refer said resolutions to the committee on internal affairs.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

{ AYES 49 }  
{ NOES 64 }

Those who voted in the affirmative, were

Alvord	Crapsier	Ingersoll	Seeley
Andrews	Curtis	Kennedy	Sherman
Baker, B. F.	Davis	Low	Sisson
Beach	Douglass	McCabe	Skinner
Beates	Duguid	Miller	Steele
Bridges	Ellis	Mitchell	Terry
Bullock	Evans	Morgan	Tozier
Case	Ferris	Nowlan	Travis
Chase	Fish	Peck	Tuthill, H. H.
Chickering	Gorsline	Phillips	Tuttle, R. M.
Childs	Hoffman	Root	Warner
Congdon	Howland	Sanders	Waterbury
Cookinham			

Those who voted in the negative, were

Ash	Oushing	McAvoy	Sipp
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Baker, C. S.	Dougherty	McCarthy	Strait
Benedict, E. D.	Duell	McTernan	Tallmadge
Benedict, T. E.	Fitzgerald	Mooers	Terpeny
Bennett	Gibbs	Newman	Thilemann
Bradley	Gillette	O'Connor	Tormey
Brodsky	Gray	Parker	Treanor
Carpenter, E. A.	Grosse	Pitcher	Tully
Catlin	Gwinup	Potter	Van Valkenburg
Chamberlain	Havens	Potts	Varnum
Clancy	Hayes	Rhodes	Walsh
Clowes	Hurd	Roberts	Wells, J. L.
Cohen	Husted	Russell	Weston
Comstock	Hynes	Shanley	Wiley
Costello	Lefever	Sheridan	Wren
Cullinan	Lindsay	Shuit	Youngs

Mr. Husted moved to reconsider the vote just taken and that a motion lie upon the table.

Mr. Speaker put the question whether the House would agree to a motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Duguid introduced a bill entitled "An act to amend chapter 340 of the Laws of 1878, entitled 'An act in relation to the repair of streets in the city of Syracuse and to amend the charter of said city,'" which was read the first time, and by unanimous consent it was also read the second time, and referred to the committee on affairs of cities.

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Waterbury (introductory No. 575), entitled "An act to amend chapter 231 of the Laws of 1870, entitled 'An act for the incorporation of villages,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Dean (introductory No. 53), entitled "An act for the relief of Whitfield Van Cott," reported in favor of discharging the committee from the further consideration of the bill and that the same be referred to the committee on affairs of cities, which report was agreed to.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Titus (introductory No. 51), entitled "An act to transfer to Cornell University the securities, moneys and contracts constituting and relating to the Cornell Endowment Fund," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Husted, from the committee on ways and means, to which was referred the Senate bill (introductory No. 71), entitled "An act to amend chapter 272 of the Laws of 1879, entitled 'An act making appropriations for certain expenses of government and supply deficiencies in former appropriations,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Potter introduced a bill entitled "An act to amend an

entitled 'An act to provide for keeping in repair the highway leading from Sacandaga river to Mount Pleasant,' passed April 12, 1862," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent,

Mr. McCarthy introduced a bill entitled "An act to authorize and direct the Comptroller of the State of New York to pay the salary of James E. McVeany as one of the assistant aldermen of the city of New York and to reimburse said McVeany for the expenses incurred by him in vindicating his title to said office," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Mead introduced a bill entitled "An act to authorize cities and incorporated villages to charge license fees to persons doing a retail business on the canals of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent,

Mr. J. L. Wells (by request) introduced a bill entitled "An act to authorize the lighting of public streets and avenues in the town of Westchester, in the county of Westchester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

The hour of 2 o'clock having arrived, the House adjourned.

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## THURSDAY MORNING, MARCH 11, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Magee.

The journal of yesterday was read and approved.

Mr. Catlin stated that he was absent when the Assembly bill known as the 5 cent fare on elevated railroads was on its final passage; had he been here he would have voted in the negative.

Privileges of the floor were granted to Hon. Mr. Glass and Hon. Mr. Hobbie, former members of this House.

Mr. Speaker presented the report of the State Agricultural Society; which was laid on the table and ordered printed.

(See Doc. No. 85.)

Mr. Speaker presented a bill entitled "An act to incorporate the State Charities Aid Association," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State charitable institutions.

Mr. Curtis introduced a bill entitled "An act to amend section 1 of chapter — of the Laws of 1862, entitled 'An act to appoint a trustee to receive and hold the bequest of Levi Farr, deceased, for the benefit of school district No. 4, in the town of Greene, Chenango county,'" which was read the first time, and by unanimous consent was also read the second time.



On motion of Mr. Curtis, and by unanimous consent, said bill read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative by a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Lefever	Sipp
Andrews	Cookinham	Lindsay	Sisson
Ash	Cullinan	Low	Skinner
Baker, B. F.	Curtis	McCabe	Slingerland
Baker, C. S.	Davis	Miller	Steele
Beach	Deane	Mitchell	Strait
Beates	Douglass	Mooers	Tallmadge
Benedict, T. E.	Duell	Morgan	Terpeny
Bennett	Duguid	Newman	Titus
Bridges	Ellis	Nowlan	Tozier
Brodskey	Fish	Parker	Tully
Bullock	Fitzgerald	Peck	Tuthill, H. H.
Carpenter, E. A.	Gillette	Phillips	Tuttle, R. M.
Carpenter, I. S.	Gorsline	Pitcher	Van Valkenburgh
Case	Griggs	Potter	Varnum
Chamberlain	Grosse	Rhodes	Warner
Chickering	Gwinup	Roberts	Waterbury
Childs	Hayes	Seeley	Wells, J. L.
Clark	Hoffman	Shanley	Wren
Cohen	Howland	Sherman	Youngs
Comstock	Kennedy	Shuit	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. C. S. Baker introduced a bill entitled "An act to further amend chapter 143 of the Laws of 1861, entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester, and to consolidate therewith the several acts in relation to the charter of said city, as amended by chapter 14 of the Laws of 1880,'" which was read the first time, and by unanimous consent also read the second time.

On motion of Mr. C. S. Baker, and by unanimous consent, said bill was read a third time and passed.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative by a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	McCabe	Sheridan
Andrews	Davis	Mead	Sherman
Baker, C. S.	Deane	Miller	Sisson
Beach	Douglass	Mitchell	Skinner
Beates	Duell	Mooers	Slingerland
Benedict, E. D.	Ellis	Morgan	Steele

Benedict, T. E.	Evans	Nowlan	Terry
Bridges	Ferris	O'Connor	Titus
Brodsky	Fish	Parker	Tozier
Bullock	Fitzgerald	Peck	Tully
Carpenter, E. A.	Gibbs	Phillips	Tuthill, H. H.
Carpenter, I. S.	Gorsline	Pitcher	Tuttle, R. M.
Case	Gray	Potter	Van Valkenburgh
Chamberlain	Griggs	Potts	Varnum
Chickering	Gwinup	Rhodes	Warner
Childs	Hoffman	Roberts	Waterbury
Clark	Kennedy	Root	Wells, J. L.
Cohen	Lefever	Russell	Weston
Comstock	Lindsay	Sanders	Wren
Congdon	Low	Seeley	Youngs
Cullinan	McAvoy		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Hayes introduced a bill entitled "An act to alter and define the boundaries of the first and third judicial districts of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill entitled "An act to amend an act entitled 'An act to incorporate the contributors to the northern dispensary of the city of New York, passed November 28, 1828,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Mitchell introduced a bill entitled "An act to amend chapter 335 of the Laws of 1873, entitled 'An act to reorganize the local government of the city of New York,' passed April 30, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill entitled "An act to amend chapter 675 of the Laws of 1872, entitled 'An act in relation to election in the city and county of New York, and to provide for the ascertaining by proper proofs the citizens who shall be entitled to the right of suffrage thereat,' passed May 14, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill entitled "An act to amend the twelfth section of the 'Act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed February 17, 1848, as said section was amended by chapter 657 of the Laws of 1871, and as further amended by chapter 510 of the Laws of 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Case introduced a bill entitled "An act to amend chapter 180 of the Laws of 1845, entitled 'An act to reduce the number of town officers and town and county expenses and to prevent abuses in auditing town and county accounts and the act amendatory thereof, chapter 455 of the Laws of 1847,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Waterbury introduced a bill entitled "An act in relation to the temporary relief of the poor in the town of Goshen, Orange county,"

which was read the first time, and by unanimous consent was read the second time, and referred to the committee on internal affairs.

Mr. Comstock introduced a bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the village of Lansingburgh,' passed April 16, 1864, and the several acts additional thereto and amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Evans introduced a bill entitled "An act to amend the section of the charter of the village of Seneca Falls, relating to boundaries of said village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Titus introduced a bill entitled "An act to amend chapter 570 of the Laws of 1873, entitled 'An act to amend section 19 of chapter 570 of the Laws of 1872, entitled 'An act to ascertain by proof the citizens who shall be entitled to the right of suffrage in the State of New York, except in the city and county of New York, and the city of Brooklyn, and to repeal chapter 572 of the Laws of 1872, entitled 'An act in relation to elections in the city and county of New York,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Bradley introduced a bill entitled "An act to provide for the establishment of houses of correction and refuge for women," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State charities and institutions.

Mr. Bullock introduced a bill entitled "An act to repeal section 556 of the Laws of 1868, entitled 'An act to amend the charter of the village of Olean, and to further amend the charter of said village,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Hoffman introduced a bill entitled "An act to vest in the board of supervisors certain additional powers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. E. D. Benedict introduced a bill entitled "An act to further amend an act entitled 'An act authorizing the incorporation of rural cemetery associations,' passed April 27, 1847, amended by the Laws of 1860, chapter 163, and by the Laws of 1861, chapter 163, which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charities and religious societies.

Mr. Tozier, from the committee on general laws, to which he was referred the bill introduced by Mr. Chamberlain (introductory No. 6), entitled "An act to regulate the assessment of mortgages and other liens upon real estate," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee on the whole.

Mr. Tozier, from the committee on general laws, to which he was referred the bill introduced by Mr. Gillette (introductory No. 6), entitled "An act to amend chapter 482, entitled 'An act to confer

boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Tozier, from the committee on general laws, to which was referred the bill introduced by Mr. Sanders (introductory No. 678), entitled "An act to amend chapter 2, part 2 of the Revised Statutes of the State of New York," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Tozier, from the committee on general laws, to which was referred the bill introduced by Mr. Beates (introductory No. 462), entitled "An act to validate the certificate of incorporation and to legalize the acts of the Walton Water Company," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Tozier, from the committee on general laws, to which was referred the bill introduced by Mr. Cookinham (introductory No. 712), entitled "An act to amend an act entitled 'An act to amend chapter 267 of the Laws of 1875, entitled 'An act for the incorporation of societies or clubs for certain lawful purposes,' passed March 14, 1876,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Tozier, from the committee on general laws, to which was referred the bill introduced by Mr. Cookinham (introductory No. 704), entitled "An act to regulate and fix the rate of interest on bonds and mortgages held by the commissioners of the United States deposit fund in the several counties of the State," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Tozier, from the committee on general laws, to which was referred the bill introduced by Mr. T. E. Benedict (introductory No. 603), entitled "An act in relation to the valuation of the property of the president, managers and company of the Delaware and Hudson Canal Company, in school districts, for the purpose of taxation," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Tozier, from the committee on general laws, to which was referred the bill introduced by Mr. Havens (introductory No. 730), entitled "An act to amend chapter 265 of the Laws of 1848, entitled 'An act to provide for the incorporation and regulation of telegraph companies,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Tozier, from the committee on general laws, to which was referred the bill introduced by Mr. Havens (introductory No. 726), entitled "An act to amend chapter 611 of the Laws of 1875, entitled 'An act to provide for the organization and regulation of certain business corporations,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Tozier, from the committee on general laws, to which was referred the bill introduced by Mr. Youngs (introductory No. 657), entitled "An act further to amend chapter 386 of the Laws of 1865,

entitled 'An act for the incorporation of societies or clubs for certain social and recreative purposes,' reported adversely thereto, which report was agreed to.

Mr. Tozier, from the committee on general laws, to which was referred the bill introduced by Mr. D. A. Wells (introductory No. 283), entitled "An act conferring additional powers and duties upon the board of education of school district No. 4, in the village of Johnstown, Fulton county," reported adversely thereto, which report was agreed to.

Mr. Tozier, from the committee on general laws, to which was referred the bill introduced by Mr. Gwinup (introductory No. 609), entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further power of local legislation, and to regulate the compensation of supervisors,'" reported adversely thereto.

Mr. Gwinup moved to disagree with the adverse report of said bill, and that said motion do lay upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Tozier, from the committee on general laws, to which was recommended the bill introduced by Mr. Mitchell (introductory No. 92), entitled "An act for the incorporation of mutual tontine annuity societies," reported said bill for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

Mr. Tozier, from the committee on general laws, to which was referred the Senate bill (introductory No. 54), entitled "An act to authorize the exchange of preferred stock for common stock of corporations," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Tozier, from the committee on general laws, to which was referred the Senate bill (introductory No. 13), entitled "An act to exempt the county of Orange from the provisions and requirements of chapter 280 of the Laws of 1845, entitled 'An act for the publication of the session laws in two newspapers in each county of the State,' and of the several acts amendatory thereof," reported adversely thereto, which report was agreed to.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Hayes (introductory No. 295), entitled "An act relative to certain improvements in the city of New York," reported said bill for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Gillette (introductory No. 695), entitled "An act to amend chapter 468 of the Laws of 1872, entitled 'An act to revise, amend and consolidate the several acts in relation to the charter of the city of Hudson,'" reported said bill for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum moved to recommit said bill, when printed, not retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Duguid, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Varnum (introductory No. 705), entitled "An act in relation to the health officer for the port of New York," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. C. S. Baker, from the committee on insurance, to which was referred the bill introduced by Mr. Hoffman (introductory No. 206), entitled "An act to amend an act entitled 'An act to amend section 2, chapter 209 of the Laws of 1877, entitled 'An act regulating the amount of capital stock for fire and marine insurance companies,' passed June 7, 1879," reported adversely thereto, which report was agreed to.

Mr. C. S. Baker, from the committee on insurance, to which was referred the bill introduced by Mr. Case (introductory No. 680), entitled "An act to amend section 1 of chapter 466 of the Laws of 1853, entitled 'An act to provide for the incorporation of fire insurance companies,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Tallmadge (introductory No. 453), entitled "An act to regulate and control the raising and spending of public moneys in the county of Kings," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Hurd (introductory No. 654), entitled "An act in relation to the supervisors of the town of Eden, Erie county," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Tuttle (introductory No. 661), entitled "An act to exempt the town of Erwin, in the county of Steuben, from the provisions of chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors, and from chapter 223 of the Laws of 1878, regulating the term of office of supervisors in the counties of Otsego, Steuben and Livingston,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Peck (introductory No. 539), entitled "An act in relation to druggists, grocers, or dealers in merchandise who deal in intoxicating liquors, wines, ale or beer," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Weston, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Sipp (introductory No. 617), entitled "An act further defining and limiting the powers and duties of the commissioners of the road formerly known as the Buffalo road, in the county of Erie, and contracting said road," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.



Mr. Weston, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Travis (introductory No. 688) entitled "An act to amend chapter 245 of the Laws of 1878, entitled 'An act to amend article 5 of title 1, chapter 16 of part 1 of the Revised Statutes, as to highways,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Weston, from the committee on roads and bridges, to which was referred the Senate bill (introductory No. 59), entitled "An act to exempt certain towns of this State from the provisions of chapter 431 of the Laws of 1875, entitled 'An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

The privileges of the floor were granted to Hon. John Oakley, former member of this House.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows:

"An act to establish the quorum of the local board of the Broomeport Normal and Training School."

Leave of absence was granted to Hon. Mr. Treanor until Monday evening.

Mr. Husted, from the committee on ways and means, reported a bill entitled "An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Husted moved that said bill be recommitted to the committee on ways and means, when printed, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the special order of the day being the report of the committee on privileges and elections in the contested case of Liddle v. Hynes, in words following:

*To the Honorable the Assembly of the State of New York:*

Your committee on privileges and elections, to which was referred the petition of Thomas Liddle, claiming the seat occupied by Joseph Hynes, from the fourth district of Albany county, respectfully report: That they have fully investigated the same, have sworn and examined over three hundred witnesses, and have received and examined the returns as made from said Assembly district outside of the fifth electoral district of the town of Watervliet, as well as from said fifth district from which it appears that the petitioner, Thomas Liddle, received outside of said fifth district, 3,874 votes, and Joseph Hynes, the contesting member, received, in the same portion of said Assembly district, 3,156 votes, leaving a majority for said Liddle of 218 votes.

That this portion of the returns was undisputed, the only controversy or dispute being as to the said fifth district of the town of Watervliet.

That the aggregate vote of that district for member of Assembly as given by the returns of the inspectors for that district, was 744, divided as follows:

For Joseph Hynes.....	556
For Thomas Liddle.....	181
For Thomas B. Boyd .....	7

744

or a majority for Mr. Hynes over Mr. Liddle of 375, and which, if correct, elected said Hynes by a majority of 157.

Your committee respectfully further report that it was clearly proved before us that there were at least two hundred and eighty-three electors of the fifth district of said town of Watervliet who cast their ballots for the said Thomas Liddle at said poll, at the last election, which, in the judgment of your committee, impeaches the returns from that district, and renders it necessary, under the rules of law, to reject or throw out the said returns, which would leave the said Liddle elected by a majority of 218.

Your committee, although having no doubt of their right and power, under the rules of law, to allow to said Liddle the 283 votes proved to have been cast for him at said poll, thus materially increasing his majority, have deemed it unnecessary.

Your committee further shows, that without throwing out such returns from said district entire, but allowing to said Liddle the number of votes thus proved to have been cast for him, the result would be as follows :

Whole number of votes for both candidates..... 737

For Joseph Hynes..... 454

For Thomas Liddle..... 283—737

or a majority in that district for Mr. Hynes of 171, which deducted from the majority for Mr. Liddle outside of this district of 218, would elect Mr. Liddle by a majority of 47.

Your committee further report, that in their opinion the inspectors of said district, and the clerks, or a portion of them, willfully and designedly falsified the actual vote cast in said district, either by a false count, or in announcing the result, in that they allowed to said Hynes a pile of ballots of 80 which belonged to or should have been allowed to the said Liddle, and when their attention was called to it, persisted in the claim that they belonged to said Hynes, and almost immediately swept the ballots in the box, thus preventing a discovery and correction of their error or crime.

Your committee further report, that this fraud upon the ballot was the better enabled to be perpetrated from the fact, that two of the inspectors belonged to the same political party with Mr. Hynes, and both clerks also until about the time the canvass began, and then, at the suggestion of some person, the Republican inspector, being a one-armed man, was induced to leave, and another nominal Republican, although a partisan of Mr. Hynes, voting and working for him, put in his place, and because the inspectors did not each of them count all the ballots, and the clerks did not see the count, and permitted one of their number to call off to the clerks the number of ballots in each pile for each of the candidates, and an understanding between him and one or both of the clerks could change the actual vote double the number of any pile without much fear of detection.

Your committee, therefore, suggest that further safeguards should be thrown around the counting of the ballots by the inspectors, either



as provided by the bill now before the Legislature, or in some other way, or the elections will be a mere mockery when in the hands of incompetent or dishonest inspectors and clerks.

Your committee, therefore, find and report that the said Thomas Liddle was duly elected member of Assembly from the fourth Assembly district of Albany county, and should have received the certificate of election instead of Joseph Hynes, and recommend the adoption of the following resolution :

*Resolved*, That Thomas Liddle was, at the last general election, duly elected to the Assembly from the fourth Assembly district of Albany county, which seat is now held by Joseph Hynes, and that the said Thomas Liddle is hereby awarded the same.

All which is respectfully submitted.

DAVID W. TRAVIS,  
W. H. STEELE,  
H. J. HURD,  
C. H. DUELL,  
JOHN WARNER,  
PETER D. LEFEVER

Dated *March 8*, 1880.

Mr. Shanley moved that the consideration of said special order be postponed until Tuesday morning next, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

{ AYES 30 }  
{ NOES 81 }

Those who voted in the affirmative, were

Beach	Davis	Hoffman	Shanley
Benedict, E. D.	Dougherty	McAvoy	Sheridan
Bennett	Ellis	McCarthy	Terpeny
Catlin	Fitzgerald	McTernan	Thilemann
Clancy	Gibbs	Newman	Tormey
Cohen	Gwinup	O'Connor	Tully
Costello	Hagan	Parker	Walsh
Cushing	Havens		

Those who voted in the negative, were

Alvord	Cookinham	Lindsay	Shuit
Andrews	Crapser	Low	Sipp
Ash	Cullinan	McCabe	Sisson
Baker, B. F.	Curtis	Miller	Skinner
Baker, C. S.	Douglass	Mitchell	Slingerland
Beates	Duell	Mooers	Steele
Benedict, T. E.	Duguid	Morgan	Tallmadge
Bradley	Evans	Nowlan	Terry
Bridges	Ferris	O'Brien	Titus
Brodsky	Fish	Peck	Tozier
Bullock	Fiske	Phillips	Travis
Carpenter, E. A.	Gillette	Pitcher	Tuthill, H. H.
Carpenter, I. S.	Gray	Potter	Tuttle, R. M.
Case	Griggs	Potts	Van Valkenburgh
Chamberlain	Hayes	Roberts	Varnum
Chickering	Howland	Root	Warner
Childs	Hurd	Russell	Waterbury
Clark	Husted	Sanders	Weston

Clowes  
Comstock  
Congdon

Kennedy  
Lefever

Seeley  
Sherman

Wren  
Youngs

When the name of Mr. Rhodes was called, he asked to be and was excused from voting.

Mr. E. A. Carpenter in the chair.

Mr. T. E. Benedict moved to substitute the following minority report of the committee on privileges and elections, for that of the majority report of said committee :

*To the Assembly :*

The undersigned, members of the committee of privileges and elections, respectfully submit the following report, which dissents from the views of the majority of said committee as expressed in a report in which they recommend that the seat now occupied by Hon. Joseph Hynes be awarded to the contestant, Thomas Liddle.

The petition of the contestant claims that he was chosen member of Assembly from the fourth district of Albany county, at the last general election ; and that the certificate of election, based upon charges of a fraudulent count in the fifth district of Watervliet, of said county, was wrongfully issued to Joseph Hynes, the sitting member.

The evidence introduced in support of the claims and charges of the contestant do not furnish proofs of fraud ; but, on the contrary, proves the canvass of votes at the disputed polls to have been open, fair and correct.

These important and conclusive facts are set aside on the part of a majority of the committee, on the grounds that the inspectors and clerks of the poll are incompetent witnesses, inasmuch as they are not disinterested in the proof of the charges of fraud.

The straightforward testimony of these sworn officers of the law is considered by the majority report a nullity, and a testimony of 283 out of 303 electors sworn on the part of the contestant considered valid to increase the vote of the contestant at the polls in the fifth district of Watervliet 102 votes in excess of the 181 awarded as the true returns as made by the board of canvassers, thus securing a majority of 47 for the contestant in the district, and on which you are asked to award him the seat he claims.

This unreliable testimony of electors that participated in a well-established trade of votes between the friends of Joseph Hynes, Democratic candidate for Assembly, and D. F. Tigh, Republican candidate for coronor, whereby each of them largely profited by receiving an excess of votes, above the other candidates on their respective ticket, is further made unreliable by their present desire to be right on the party record, and their almost uniform inability to testify as to the name of another single candidate, except the one they had been coached to name on the Assembly ticket voted.

The undersigned cannot believe that this Assembly will, upon such testimony, reverse the declared result as shown by the board of canvassers, and furnish a precedent which will hereafter serve as a pretext on which in every close result between candidates the flimsy testimony of such witnesses may, at any period after an election, serve to defeat the will of the people as expressed at the ballot-box.

We, therefore, respectfully recommend the adoption of the following resolution :

*Resolved*, That Joseph Hynes was duly elected member of Assembly from the fourth Assembly district of Albany county, at the general election held therein on the 4th day of November, 1879; and that he is entitled to retain the seat in this House which he now occupies.

All of which is respectfully submitted.

THOMAS E. BENEDICT.  
ROBERT GRANT HAVENS.  
EDWARD P. HAGAN.

Dated *March* 10, 1880.

Mr. Alvord moved that the time of this session be extended until the special order is disposed of.

Mr. Speaker put the question whether the House would agree to such motion, and it was determined in the affirmative.

Mr. Travis moved the previous question.

Mr. Speaker put the question "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion to substitute the minority report for the majority report, and it was determined in the negative.

{ AYES 28 }  
{ NOES 79 }

Those who voted in the affirmative, were

Benedict, E. D.	Dougherty	McAvoy	Shanley
Benedict, T. E.	Ellis	McCarthy	Sheridan
Bennett	Fitzgerald	McTernan	Terpeny
Clancy	Gibbs	Newman	Thilemann
Cohen	Hagan	O'Connor	Tully
Costello	Havens	Parker	Walsh
Cushing	Hoffman	Rhodes	Wiley

Those who voted in the negative, were

Alvord	Cullinan	Lefever	Shuit
Andrews	Curtis	Lindsay	Sipp
Ash	Davis	Low	Sisson
Baker, B. F.	Deane	McCabe	Skinner
Baker, C. S.	Douglass	Miller	Slingerland
Beach	Duell	Mitchell	Steele
Beates	Duguid	Mooers	Tallmadge
Bradley	Evans	Morgan	Terry
Bridges	Fish	Nowlan	Titus
Brodeky	Fiske	O'Brien	Tozier
Carpenter, E. A.	Gillette	Peck	Travis
Case	Gorsline	Phillips	Tuthill, H. H.
Chamberlain	Gray	Pitcher	Tuttle, R. M.
Chickering	Griggs	Potter	Van Valkenburg
Clark	Hayes	Potts	Warner
Clowes	Howland	Roberts	Waterbury
Comstock	Hurd	Root	Wells, J. L.
Congdon	Husted	Russell	Wren
Cookinham	Ingersoll	Seeley	Youngs
Crapser	Kennedy	Sherman	

Mr. Speaker then put the question whether the House would agree to the adoption of the majority report, and it was determined in the affirmative.

{ AYES 80 }  
{ NOES 31 }

Those who voted in the affirmative, were

Alvord	Cullinan	Kennedy	Sherman
Andrews	Curtis	Lefever	Shuit
Ash	Davis	Lindsay	Sipp
Baker, B. F.	Deane	Low	Sisson
Baker, C. S.	Douglass	McCabe	Skinner
Beach	Duell	Miller	Slingerland
Beates	Duguid	Mitchell	Steele
Bradley	Evans	Mooers	Tallmadge
Bridges	Ferris	Morgan	Terry
Brodsky	Fish	Nowlan	Titus
Carpenter, E. A.	Fiske	O'Brien	Tozier
Case	Gillette	Peck	Travis
Chamberlain	Gorsline	Phillips	Tuthill, H. H.
Chickering	Gray	Pitcher	Tuttle, R. M.
Clark	Griggs	Potter	Van Valkenburgh
Clowes	Hayes	Potts	Warner
Comstock	Howland	Roberts	Waterbury
Congdon	Hurd	Root	Wells, J. L.
Cookinham	Husted	Russell	Wren
Crapser	Ingersoll	Seeley	Youngs

Those who voted in the negative, were

Benedict, E. D.	Dougherty	McAvoy	Sheridan
Benedict, T. E.	Ellis	McCarthy	Terpeny
Bennett	Fitzgerald	McTernan	Thilemann
Catlin	Gibbs	Newman	Tormey
Clancy	Gwinup	O'Connor	Tully
Cohen	Hagan	Parker	Walsh
Costello	Havens	Rhodes	Wiley
Cushing	Hoffman	Shanley	

Mr. Alvord moved to extend the time of this session fifteen minutes.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Alvord moved to disagree with the adverse report of the committee on the Senate bill entitled "An act to exempt the county of Orange from the provisions and requirements of chapter 280 of the Laws of 1845, entitled 'An act for the publication of the session laws in two newspapers in each county of this State,' and of the several acts amendatory thereof," and that said bill be laid on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Potter offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor requesting the return of Assembly bill No. 77, entitled "An act to authorize the sale of lauds in the town and village of Saratoga Springs, for unpaid State, county and municipal taxes including water rates and special assessments," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Steele, from the special joint committee on assessment and

taxation, to which was referred the petition to amend chapter 13 part 1 of the Revised Statutes, moved that the same be printed and recommitted to this committee, retaining its place on general order.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker administered the oath of office to Mr. Thomas Liddell as member of this House.

Privileges of the floor were given to Hon. Joseph Hynes.

The Senate returned the bill entitled "An act for the relief of Manhattan Savings Institution of the city of New York, and to authorize the city of Yonkers to issue bonds for certain purposes," with a message that they have concurred in the passage of the same with the following amendments:

Section 2, line 20, after the word "stolen" strike out the remainder of the section and insert as follows: "and to indemnify and save harmless the said city of Yonkers from all claims, judgments, costs and expenses on account of said original bonds; and provided, also, that said institution shall bear and pay the expense of preparing and printing said duplicate bonds."

Strike out sections 3 and 4, and insert the following sections in thereof:

Sec. 3. If at any time the said city of Yonkers shall demand additional security other than that mentioned in the second section of said act, the said Manhattan Savings Institution shall deliver to said city of Yonkers such additional or further security, and in such form and penalty, and with sufficient sureties, as the Supreme Court, or a justice thereof, may by order require and approve, after due notice to said Manhattan Savings Institution of such application.

Sec. 4. After the delivery to the said Manhattan Savings Institution of such duplicate bonds, the said city of Yonkers shall be discharged from all liability upon the original bonds described in the second section of this act, to the said Manhattan Savings Institution, and all persons purchasing the same after due publication of the notice mentioned in the first section of this act; but the lawful owners thereof (if any) shall have a right of action therefor against the said Manhattan Savings Institution upon the bond provided for in the second section of this act.

Sec. 5. This act shall take effect immediately.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof and three-fifths of said members being present.

{ AYES 89 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	Husted	Sherman
Andrews	Davis	Ingersoll	Shuit
Ash	Deane	Kennedy	Sisson
Baker, B. F.	Dougherty	Lefever	Skinner
Beates	Douglass	Liddle	Slingerland
Benedict, E. D.	Duell	Low	Steele
Bennett	Duguid	McCabe	Terpeny
Bradley	Ellis	Miller	Terry
Bridges	Evans	Mitchell	Thilemann

Brodskey	Ferris	Moore	Tormey
Bullock	Fish	Morgan	Tozier
Carpenter, E. A.	Fitzgerald	Newman	Travis
Case	Gorsline	Nowlan	Tully
Catlin	Gray	O'Brien	Tuthill, H. H.
Chamberlain	Griggs	Peck	Tuttle, R. M.
Chickering	Grosse	Pitcher	Van Valkenburgh
Clark	Gwinup	Potter	Warner
Clowes	Hagan	Potts	Waterbury
Cookinham	Hayes	Rhodes	Wells, J. L.
Costello	Hoffman	Roberts	Weston
Crapser	Howland	Russell	Wren
Cullinan	Hurd	Seeley	Youngs
Curtis			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendment.

The Senate sent for concurrence the bills entitled as follows:

"An act fixing the amount to be paid on a policy of insurance," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

"An act appropriating money to pay certain awards made by the Canal Appraisers, and the interest thereon; and to pay counsel and witnesses employed and subpoenaed in behalf of the State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to change the name of and in relation to the association for befriending children," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

"An act to regulate elections in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Hurd, from the committee on canals, to which was referred the bill introduced by Mr. Curtis (introductory No. 675), entitled "An act to provide for the disposition of the Chenango canal and what is called and known as the Chenango canal extension and the lands, right and other property connected therewith," reported said bill for the consideration of the House with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Hurd moved that said bill be recommitted to the committee on canals, when printed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Warner, from the committee on trade and manufactures, to which was referred the Senate bill (introductory No. 263), entitled "An act to amend chapter 371 of the Laws of 1866, entitled 'An act to extend the operation and effect of the act passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Curtis, from the committee on charitable and religious societies

to which was referred the bill introduced by Mr. Hurd (introduced No. 717), entitled "An act to change the name of the Hamlet Cemetery Association," reported in favor of the passage of the bill, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Husted, and at 2 o'clock and 25 minutes the House adjourned.

## FRIDAY MORNING, MARCH 12, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Holmes.

The journal of yesterday was read and approved.

The Speaker and Clerk, pursuant to a resolution of the Assembly, referred the following named bills to the sub-committee of the whole:

No. 132, Int. 278, G. O. 139, Mr. Cullinan: "An act to amend section 1176 of article 1 of title 5 of the Code of Civil Procedure."

No. 140, Int. 330, G. O. 149, Mr. Low: "An act to amend chapter 589 of the Laws of 1875, entitled 'An act to extend the powers of trustees of the village of Wilson, in the county of Niagara.'"

No. 144, Int. 284, G. O. 153, Mr. D. A. Wells: "An act to amend section 2 of chapter 405 of the Laws of 1879, entitled 'An act to amend sections 2 and 10 of chapter 248 of the Laws of 1878, entitled 'An act in relation to the election of officers in certain school districts.'"

No. 146, Int. 384, G. O. 157, Mr. Griggs: "An act to amend chapter 181 of the Laws of 1872, entitled 'An act for the better prevention of the procurement of abortions and other like offenses, and to amend the laws relating thereto,' being chapter 181 of the Laws of 1872."

No. 147, Int. 404, G. O. 158, Mr. Rhodes: "An act to amend chapter 121 of the Laws of 1835, entitled 'An act to incorporate the Young Men's Association.'"

No. 149, Int. 197, G. O. 160, Mr. Hurd: "An act requiring oaths and undertakings to be recorded."

No. 150, Int. 440, G. O. 162, Mr. Duell: "An act in relation to the jurisdiction of the district courts of the city of New York."

No. 153, Int. 243, G. O. 165, Mr. Chickering: "An act to declare the Independence river and its tributaries in Lewis and Herkimer counties a public highway."

No. 157, Int. 186, G. O. 169, Mr. Clark: "An act to prevent the bribing and corrupting of officers of the Seneca Nation of Indians."

No. 160, Int. 164, G. O. 173, Mr. E. D. Benedict: "An act to provide for the election of a town treasurer in the town of Gravesend, in the county of Kings, and to regulate and prescribe the duties of such officer."

No. 163, Int. 365, G. O. 176, Mr. Parker: "An act to amend chapter 34 of the Session Laws of 1876, entitled 'An act to provide for the payment of a portion or the whole of the bounty debt of the county of Greene, by issuing new bonds,' passed February 28, 1876."

No. 164, Int. 26, G. O. 177, Mr. Travis: "An act in relation to the keeping open of the offices of the register, county clerk and county treasurer of the county of Westchester."



No. 166, Int. 438, G. O. 179, Mr. Catlin: "An act to provide for the refunding of a portion of the bonded debt of the town of Westchester, in the county of Westchester, and to restrict the power of the town officers to bond the said town, except as provided in chapter 193 of the Laws of 1877."

No. 175, Int. 109, G. O. 190, Mr. Travis: "An act to amend chapter 520 of the Laws of 1865, entitled 'An act to amend title 1 of chapter 16 of the first part of the Revised Statutes, in regard to roads and bridges and the appointment of overseers of highways.'"

No. 178, Int. 434, G. O. 192, Mr. Varnum: "An act to provide for the revision, amendment and consolidation of the act entitled 'An act to provide for the enrollment of the militia, for the organization of the National Guard of the State of New York, and for the public defense, and entitled 'the Military Code,' and of all acts amendatory thereof and supplemental thereto, or relating to the organization and government of the militia of the State.'"

No. 195, Int. 325, G. O. 212, Mr. Husted: "An act to prevent trespassing and intrusion upon railroad cars and engines."

No. 202, Int. 443, G. O. 219, Mr. Hurd: "An act to amend an act entitled 'An act for the incorporation of villages,' passed April 20, 1870."

No. 204, Int. 287, G. O. 221, Mr. Evans: "An act to incorporate the fire department of the village of Waterloo."

No. 205, Int. 437, G. O. 222, Mr. Husted: "An act to amend section 5, title 3 of chapter 291, Laws of 1870, entitled 'An act for the incorporation of villages.'"

No. 210, Int. 60, G. O. 227, Mr. Fiske: "An act to amend an act entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors.'"

No. 216, Int. 439, G. O. 233, Mr. Davis: "An act to authorize the treasurer of Steuben county to sell property for unpaid taxes."

No. 222, Int. 179, G. O. 239, Mr. Sharpe: "An act to legalize and confirm the action of the board of supervisors of the county of Ulster in the division of the town of Kingston, in said county, by erecting the town of Ulster therefrom and attaching a portion thereof to the town of Woodstock, in said county."

No. 230, Int. 79, G. O. 247, Mr. Potts: "An act to repeal chapter 47 of the Laws of 1879, entitled 'An act authorizing the reduction of pay of certain town officers in the county of Sullivan,' passed February 26, 1879."

No. 231, Int. 476, G. O. 248, Mr. Catlin: "An act to amend chapter 83 of the Laws of 1879, entitled 'An act to dissolve the corporation known as the trustees of the town of Westchester, to abolish the office of trustee of said town, and to preserve the records of said town.'"

No. 232, Int. 347, G. O. 249, Mr. Chase: "An act to authorize the appropriation of the moneys raised by the town of Otsego, in the county of Otsego, under chapter 482 of the Laws of 1875, to pay moneys borrowed by the supervisor of said town and used to secure to said town the use of the Otsego county court-house building for town hall purposes."

No. 233, Int. 265, G. O. 250, Mr. Bradley: "An act to amend section 90 of chapter 426 of the Laws of 1847, entitled 'An act to provide for the incorporation of villages.'"



No. 235, Int. 419, G. O. 252, Mr. Sharpe: "An act to repeal chapter 186 of the Laws of 1878, entitled 'An act to repeal chapter 41 of the Laws of 1876, entitled 'An act to amend chapter 440 of the Laws of 1873, entitled 'An act requiring commissioners of highways to employ as inspectors of plankroads and turnpikes, so far as the same relate to Ulster county.'"

No. 236, Int. 443, G. O. 254, Mr. Sherman: "An act to amend section 8 of chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game.'"

No. 237, Int. 415, G. O. 255, Mr. Davis: "An act for the preservation of fish in the waters of Loon lake in the county of Steuben."

No. 244, Int. 413, G. O. 262, Mr. Tuttle: "An act to amend section 1 of chapter 498 of the Laws of 1872, entitled 'An act for the regulation of livery-stable keepers and other persons keeping horses for livery or pasture.'"

No. 245, Int. 430, G. O. 263, Mr. Curtis: "An act to amend chapter 415 of the Laws of 1877, entitled 'An act for the protection of dairymen, and to prevent deception in sales of butter.'"

No. 249, Int. 461, G. O. 267, Mr. Hurd: "An act to amend chapter 415 of the Laws of 1877, entitled 'An act to prevent certain abuses upon the canals of this State.'"

No. 250, Int. 414, G. O. 268, Mr. Van Valkenburgh: "An act to authorize the change of course of the east branch of the Eight Mile creek, in the town of Hartland, in the county of Niagara, to the State of New York."

No. 253, Int. 221, G. O. 273, Mr. Chickering: "An act to authorize the railroad commissioners of the town of Lowville, in Lewis county, to take up certain bonds which under chapter 14, section 1 of the Laws of 1872, may be taken up, and to issue others in place of the same at a lower rate of interest."

No. 254, Int. 408, G. O. 274, Mr. Griggs: "An act to amend chapter 456 of the Laws of 1879, entitled 'An act to prevent the deposit of mud, earth, soil, ashes, or refuse in the North or Hudson river, to prevent the filling up the navigable waters of said river, and to preserve the navigation thereof,' passed May 20, 1876."

No. 255, Int. 381, G. O. 275, Mr. Husted: "An act to enable the Alanson Methodist Episcopal Church of the city of New York to transfer and convey certain real property."

No. 256, Int. 246, G. O. 276, Mr. Duguid: "An act to incorporate the National Tent of the National Order of Rechabites."

No. 258, Int. 379, G. O. 278, Mr. Duguid: "An act to amend chapter 415 of the Laws of 1877, entitled 'An act to incorporate the Domestic and Foreign Missionary Society of the Protestant Episcopal Church of the United States of America,' passed May 13, 1846."

No. 260, Int. 342, G. O. 280, Mr. Wiley: "An act to incorporate the Grand Lodge Knights of Pythias of the State of New York."

No. 265, Int. 377, G. O. 286, Mr. Cullinan: "An act to repeal section 2 of chapter 169 of the Laws of 1879, entitled 'An act authorizing and directing the county clerk of Oswego county to sign a certificate of certain records now recorded and filed in the Oswego county clerk's office.'"

No. 270, Int. 445, G. O. 292, Mr. Clowes: "An act to change the present number of overseers of the poor of the town of Hempstead, Queens county, from three to one."

No. 271, Int. 520, G. O. 293, Mr. Travis: "An act to amend chapter 415 of the Laws of 1877, entitled 'An act to prevent certain abuses upon the canals of this State.'"

476 of the Laws of 1869, entitled 'An act to establish the office of receiver of taxes in the town of New Rochelle, in the county of Westchester.'"

No. 273, Int. 512, G. O. 295, Mr. Brennan: "An act to amend an act entitled 'An act to establish a board of education in and for the village school district of the town of Malone, in the county of Franklin, and for other purposes,' being chapter 7 of the Laws of 1867."

No. 277, Int. 584, G. O. 300, Mr. Brennan: "An act conferring additional powers upon the board of supervisors of the county of Franklin."

No. 278, Int. 222, G. O. 301, Mr. Warner: "An act to provide a lien to the keeper or *boarder of horses* and other animals."

No. 279, Int. 531, G. O. 302, Mr. Congdon: "An act to amend section 82, article 3, title 4, chapter 2, part 4 of the Revised Statutes, relative to removing indictments to the supreme courts from courts of oyer and terminer."

No. 280 Int. 236, G. O. 303, Mr. Hayes: "An act to amend chapter 515 of the Laws of 1871, entitled 'An act to prevent fraud in auction sales, and fraudulent conduct on the part of auctioneers in the cities of New York and Brooklyn.'"

No. 282, Int. 363, G. O. 305, Mr. Curtis: "An act to legalize the official acts and proceedings of John Bradley Bliven, a justice of the peace of Chenango county."

No. 283, Int. 247, G. O. 306, Mr. Clowes: "An act relating to the term of office of supervisors in the several towns of Queens county."

No. 291, Int. 416, G. O. 314, Mr. Mooers: "An act to amend an act entitled 'An act creating a board of town auditors in the several towns in this State, and to prescribe their powers and duties,' passed April 20, 1875."

No. 293, Int. 563, G. O. 316, Mr. Travis: "An act in relation to the superintendents of the poor of the county of Westchester, and the keeper of the county house in said county."

No. 294, Int. 199, G. O. 217, Mr. Strait: "An act to enable the respective towns in the county of Rensselaer to reduce the number of its town officers."

No. 295, Int. 306, G. O. 318, Mr. Douglass: "An act to abolish the office of railroad commissioners of the town of Augusta, in the county of Oneida, and to authorize the supervisor of said town to discharge the duties now pertaining to said office."

No. 296, Int. 290, G. O. 319, Mr. Potts: "An act to exempt the corporation of the village of Monticello, in Sullivan county, and the trustees and other officers of said village, from the provisions of chapter 440 of the Laws of 1873, entitled 'An act requiring commissioners of highways to act as inspectors of plankroads and turnpikes,' passed May 8, 1873."

No. 307, Int. 644, G. O. 330, Mr. Kennedy: "An act to amend an act entitled 'An act supplementary to chapter 273 of the Laws of 1866, entitled 'An act authorizing the incorporation of associations to erect monuments to perpetuate the memory of soldiers who fell in defense of the Union,' passed April 14, 1877."

No. 309, Int. 405, G. O. 334, Mr. Rhodes: "An act to incorporate the board of trustees of the fire department of the city of Troy."

No. 317, Int. 484, G. O. 343, Mr. Clowes: "An act creating a board of town auditors in the town of Newtown, Queens county, and prescribing their powers and duties."

No. 318, Int. 581, G. O. 344, Mr. Chamberlain: "An act to authorize the town of Madrid, in the county of St. Lawrence, to borrow money for the completion of the water-works in the village of Madrid, and for other purposes."

No. 319, Int. 628, G. O. 345, Mr. Howland: "An act concerning the manufacture of salt and the inspection thereof."

No. 320, Int. 619, G. O. 346, Mr. Cookinham: "An act to legalize the official acts of Samuel Williams, a justice of the peace of Bridge-water, in the county of Oneida."

No. 326, Int. 542, G. O. 352, Mr. Van Valkenburgh: "An act to legalize the acts of George M. Warren, a justice of the peace of the town of Wheatfield, Niagara county."

No. 330, Int. 686, G. O. 356, Committee on Insurance: "An act to authorize joint-stock fire insurance companies to issue policies providing against loss or damage by lightning."

No. 333, Int. 613, G. O. 359, Mr. Lefever: "An act to provide for the navigation of the waters of the Wallkill creek, in the county of Ulster, by steamboats."

No. 338, Int. 499, G. O. 365, Mr. Root: "An act to regulate voting in the Western New York Agricultural Society."

No. 341, Int. 483, G. O. 367, Mr. Clowes: "An act to enable the town of Newtown, in Queens county, to fund a portion of its bonded debt at a reduced rate of interest."

Senate, No. 51, Int. 32, G. O. 156, Mr. Seebacher: "An act to authorize the police department or board of police of any city to appoint policemen of district telegraph companies."

Senate, No. 112, Int. 62, G. O. 386, Mr. Loomis: "An act to confirm the proceedings of the board of trustees of the village of Attica relating to the sale and purchase of real estate."

Senate, not printed, Int. 7, G. O. 147, Mr. Robertson: "An act to amend chapter 476 of the Laws of 1869, entitled 'An act to establish the office of receiver of taxes in the town of New Rochelle, in the county of Westchester.'"

No. 192, Int. 83, G. O. 208, Mr. Sheridan: "An act to further amend chapter 491 of the Laws of 1871, entitled 'An act to provide for the relief of and support of the poor of the county of Kings, and to change the name of the office of the superintendents of the poor therein to the office of the commissioners of charities of the county of Kings,' passed April 14, 1871."

No. 302, Int. 373, G. O. 325, Mr. Lefever: "An act to release all that part of the waters of the Wallkill creek, and its inlets lying and being in the county of Ulster, from the operation of the provisions of sections 23, 24 and 26 of chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,' passed June 20, 1879."

Mr. Bradley offered for the consideration of the House a privileged resolution in the words following:

*Resolved*, That when this House adjourns to day, it will adjourn to meet on Monday evening next at 8 o'clock.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Bullock introduced a bill entitled "An act entitled 'An act to regulate the licensing of physicians and surgeons,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Tallmadge introduced a bill entitled "An act to amend section 2 of chapter 209 of the Laws of 1877, entitled 'An act regulating the amount of capital stock for fire and marine insurance companies, as amended by chapter 490 of the Laws of 1879,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. E. D. Benedict introduced a bill entitled "An act to authorize the board of education of union free school district No. 2, town of New Lots, to appoint the treasurer of Kings county custodian and treasurer of the district school funds," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Lindsay introduced a bill entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration and to regulate the compensation of supervisors,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Chickering introduced a bill entitled "An act to amend section 9, title 1, chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Hayes introduced a bill entitled "An act for the relief of Lyman Tiffany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities. Accompanied by memorial on the same subject.

Mr. Fiske introduced a bill entitled "An act to amend an act entitled 'An act [to incorporate the village of Port Richmond, in the county of Richmond,' passed April 24, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages. Accompanied by a petition on the same subject.

Also, the bill entitled "An act in relation to the police force in the county of Richmond," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Potter introduced a bill entitled "An act entitled 'An act in relation to the duties of supervisor for the town of Saratoga Springs,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Potts (by request) introduced a bill entitled "An act to provide for the incorporation of the Callicoon Agricultural Mutual Fire Relief Association of Sullivan county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Bradley introduced a bill entitled "An act to amend section 2 of chapter 514 of the Laws of 1875, entitled 'An act to provide for the election of police justice in villages, and the act amendatory thereof,' passed May 5, 1876," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Varnum introduced a bill entitled "An act to amend chapter 184 of the Laws of 1839, entitled 'An act in relation to trusts for the

benefit of the meetings of the religious society of Friends," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. McCarthy introduced a bill entitled "An act giving the right to interpose supplemental pleading, setting forth a discharge in bankruptcy," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill entitled "An act to incorporate the Bachelor Club of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Gibbs introduced a bill entitled "An act to amend section of chapter 579 of the Laws of 1853, entitled 'An act to simplify the manner of collecting arrears of taxes, assessments and regular rates of croton water in the city of New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Congdon introduced a bill entitled "An act to authorize the incorporation of Red House Driving Park Agricultural Society among the Indians of Allegany and Cattaraugus reservation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on Indian affairs.

Mr. Ferris presented several petitions against the passage of a bill abolishing special rates for transportation of freights; which were read and referred to the committee of the whole.

Messrs. Carpenter and Weston presented petitions in favor of providing separate institutions for the detention and reformation of convicted women; which were read and referred to the committee on State prisons.

Mr. McCarthy presented a remonstrance of the common council of New York city against the bill for the removal of the Murray Hill reservoir; which was read and referred to the committee on affairs of cities.

Messrs. Kennedy and Spencer presented petitions against a change in the excise laws; which were read and referred to the committee on internal affairs.

Messrs. B. F. Baker and Chase presented petitions in favor of Constitutional Amendment, prohibiting the sale of liquors; which were read and referred to the committee on general laws.

Mr. Clowes presented a petition in favor of the bill providing the enlargement of the market stand for farmers and gardeners in the city of New York; which was read and referred to the committee on affairs of cities.

Mr. Weston presented a petition of Mr. A. Kidder and seven other trustees of Sherman Academy, asking that the school year begin Aug. 1, instead of Oct. 1; which was read and referred to the committee on public education.

Mr. Sipp presented a petition asking the passage of the bill relating to the Buffalo Plank Road Company; which was read and referred to the committee of the whole.

Mr. Andrews presented a petition in favor of the bill to prevent the manufacture of cigars in tenement houses; which was read and referred to the committee of the whole.

Messrs. Potts and Gray presented petitions asking for a law taxing all city and town bonds issued in aid of the construction of railroads; which were read and referred to the special committee on taxation.

Mr. Miller presented a petition asking the passage of an act regulating the running of steamboats on Cazenovia lake; which was read and referred to the committee on commerce and navigation.

A message from the Senate was received and read informing of concurrence in the passage of the following resolutions:

*Resolved* (if the Senate concur), That 1,200 copies of the Ninth Annual Report of the State Homœopathic Asylum for the Insane be printed for the use of the institution.

Also,

*Resolved* (if the Senate concur), That 1,000 copies of the annual report of the Central New York Institution for Deaf Mutes, at Rome, New York, for the year 1879, be printed for the use of said institution.

Also,

*Resolved* (if the Senate concur), That 1,000 extra copies of the Adjutant-General's report be printed and bound in cloth, for the use of the Adjutant-General's Department.

A message from the Senate was received and read, informing of concurrence in the passage of the bills entitled as follows:

"An act to further amend chapter 143 of the Laws of 1861, entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester, and to consolidate therewith the several acts in relation to the charter of said city as amended by chapter 14, Laws of 1880.'"

*Ordered*, That the Clerk deliver said bill to the Governor.

The Senate returned the resolution "requesting the Senators and Representatives in Congress from the State of New York to use all proper means to secure the improvement of the channel between Lakes Superior and Huron and of the Lime Kiln Crossing near the mouth of the Detroit river," with a message that they have concurred in the same.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Low (introductory No. 697), entitled "An act for the relief of W. H. Carver," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Skinner (introductory No. 737), entitled "An act to legalize the official acts of Franklin C. Whitney, as a notary public," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. J. L. Wells (introductory No. 715), entitled "An act extending the provisions and benefits of the mechanics' lien law to excavations, dredging or substructure for wharves, piers, or slips between such wharves or piers, and to the construction, deepening or improvement of any water-course, channel or basin," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was

referred the bill introduced by Mr. Travis (introductory No. 635), entitled "An act to amend section 1323 of the Code of Civil Procedure," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Travis (introductory No. 636), entitled "An act to provide for the bringing of actions for relief in certain cases where agreements, contracts and instruments in writing have been recorded," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Terry (introductory No. 728), entitled "An act to amend an act entitled 'An act to provide for the organization and regulation of certain business corporations,' passed June 21, 1875," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Varnum (introductory No. 228), entitled "An act to legalize the acts of James M. Townsend, Jr., notary public," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. McCarthy (introductory No. 319), entitled "An act to extend the definition of the crime of perjury, and for other purposes," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Bradley (introductory No. 156), entitled "An act to secure uniform ballots and preserve the purity of elections," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Duell (introductory No. 312), entitled "An act relating to referees, receivers, auditors and other officers appointed by the court within the counties of New York and Kings," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Duell (introductory No. 400), entitled "An act to provide for the publication of the names of referees, receivers, auditors and other officers of courts in the city and county of New York," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Roberts (introductory No. 585), entitled "An act to legalize the acts of the superintendent of the fire department of the city of Buffalo, and to enlarge his powers," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Youngs (introductory No. 684), entitled "An act to amend section 3 of chapter 312 of the Laws of 1838, entitled 'An act to appoint trustees of the Jones Fund, for the support of the poor of the towns of Oyster Bay and North Hempstead, in the county of Queens,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Mitchell (introductory No. 700), entitled "An act to authorize summary proceedings, by mandamus, against common carriers," reported said bill for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Terry, said bill was recommitted, when printed, retaining its place on general orders.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Clancy (introductory No. 674), entitled "An act to further amend chapter 175 of the Laws of 1878, entitled 'An act to amend section 2, chapter 33 of the Laws of 1878, entitled 'An act to amend chapter 516 of the Laws of 1867, entitled 'An act for the further protection of female employees in the city of New York,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 55), entitled "An act to legalize and confirm the official acts of Jonathan O. Spink, of the town of Orangeville, Wyoming county, as justice of the peace," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 75), entitled "An act to legalize the official acts of Frank M. Goff, a justice of the peace, and allow him to file his official bond," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 60), entitled "An act further to amend chapter 270 of the Laws of 1850, entitled 'An act to authorize the appointment of commissioners to take proof and acknowledgment of deeds and other instruments, and to administer oaths in other States and Territories,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Duell (introductory No. 401), entitled "An act amending sections 111 and 112 of the Code of Civil Procedure," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Mitchell (introductory No. 821), entitled "An act to limit commitments of children in the city and



county of New York," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Mitchell (introductory No. 66) entitled "An act to simplify the proof of the Sanitary Code in the city of New York," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Youngs moved to disagree with the adverse report on Assembly bill entitled "An act further to amend chapter 386 of the Laws of 1865, entitled 'An act for the incorporation of societies and clubs for certain social and recreative purposes,'" and that said bill, with report, do lay upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Clowes (introductory No. 68) entitled "An act relating to the assessment and collection of taxes in Long Island City, Queens county," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Varnum (introductory No. 74) entitled "An act to facilitate the erection of a new building by the New York Produce Exchange in the city of New York," reported in favor of the passage of the same with amendments, and title amended so as to read as follows: "An act to facilitate the erection of a new building by the New York Produce Exchange in the city of New York, by authorizing the closing of a portion of Marketfield street and the sale of a lot of land and building on Stone street in said city the property of the mayor, aldermen and commonalty of the city of New York," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was recommitted the bill introduced by Mr. Russell (introductory No. 10) entitled "An act in relation to the government of the city of Brooklyn," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Hayes (introductory No. 77) entitled "An act to alter and define the boundaries of the first and third judicial districts of the city of New York," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Cookinham (introductory No. 58) entitled "An act to require the common council of Utica to ascertain the expense of grading Bleeker street, between Culver avenue and city limits, and to assess, levy and collect the expense thereof," reported adversely thereto, which report was agreed to.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Fitzgerald (introductory No. 34)

entitled "An act relative to the pay of policemen and firemen of the city and county of New York injured or disabled while in the actual discharge of their duties," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 72), entitled "An act in relation to Fourth avenue in the city of Brooklyn," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. J. L. Wells (introductory No. 755), entitled "An act to authorize the lighting of public streets and avenues in the town of Westchester, in the county of Westchester," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Curtis (introductory No. 751), entitled "An act to exempt the town of Greene, Chenango county, from the provisions of chapter 175 of the Laws of 1870, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the Senate bill (introductory No. 74), entitled "An act in relation to the temporary relief of the poor of the town of Ulster, Ulster county," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Parker (introductory No. 596), entitled "An act to amend an act entitled 'An act to incorporate the village of Coxsackie,' passed April 5, 1867," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Cookinham (introductory No. 679), entitled "An act to amend section 5 of chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Chase (introductory No. 620), entitled "An act to amend an act entitled 'An act for incorporating an aqueduct association in the village of Cooperstown, in the county of Otsego,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Morgan (introductory No. 703), entitled "An act authorizing the village of Wellsville, N. Y., to appropriate portions of its highway moneys, to the laying of stone sidewalks," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Chamberlain (introductory No. 598), entitled "An act to organize a fire department in the village of Madrid, St. Lawrence county," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was referred the Senate bill (introductory No. 81), entitled "An act to provide for the payment of water bonds issued by the village of Goshen, in the county of Orange," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Case, from the committee on federal relations, to which was referred the bill introduced by Mr. Hagan (introductory No. 113), entitled "An act to authorize the construction of an island upon and the conveyance of a portion of Robbins Reef, in the harbor of New York," reported adversely thereto, which report was agreed to.

Mr. Shanley moved to lay said bill, with report, on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said report, and it was determined in the affirmative.

Mr. Kennedy, from the committee on claims, to which was referred the Senate bill (introductory No. 84), entitled "An act for the relief of Mary A. Vandewater, administratrix of Henry Vandewater, deceased," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend section 1 of chapter 116 of the Laws of 1866, entitled 'An act to appoint a trustee to receive and hold the bequest of Levi Farr, deceased, for the benefit of school district No. 4, in the town of Greene, Chenango county.'"

On motion of Mr. Mitchell, and by unanimous consent, the committee of the whole was discharged from the further consideration of Senate bill No. 85, general orders No. 398, entitled "An act relative to lands under water in front of lands devised by James Morris, deceased," and said bill was ordered to a third reading.

By unanimous consent,

Mr. Bridges offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That there be printed and bound in cloth 2,400 copies of the Report of the State Engineer and Surveyor on Railroads, for the year ending September 30, 1879, to be distributed by that officer according to law; also, ten copies of said report for each Senator and Member of the present Legislature; also one copy of said report to each officer and reporter of the present Legislature, the whole expense thereof to be refunded to the treasury of the State by an equitable assessment by the Comptroller upon the several railroad companies of this State, the price of printing the same to be agreed upon between the State Engineer, the Comptroller and the legislative printer.

*Ordered*, That said resolution be referred to the committee on public printing.

By unanimous consent,

Mr. Cohen introduced a bill entitled "An act regulating the rate of interest to be charged by pawnbrokers and other persons loaning money on personal property, and regulating the disposition of unclaimed pledges," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Speaker presented the annual report of the State Engineer and Surveyor on canals; which was laid on the table and ordered printed.

(See Doc. No. 88.)

Mr. Speaker announced the order of business to be general orders.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to confer power upon the common council of the city of New York to complete the restoration of Tompkins Square as a public park."

"An act to provide for the compilation and revision of the Laws of the State of New York affecting banks, banking and trust companies."

"An act to amend chapter 737 of the Laws of 1873, entitled 'An act in relation to the creation and formation of water-work companies in towns and villages of the State of New York.'"

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Comstock, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Comstock, from said committee, also reported in favor of the passage of the second named bill, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Comstock, from said committee, also reported progress on the last named bill, and asked and obtained leave to sit again.

Mr. Terry offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 243, general order No. 261, entitled "An act repealing certain acts and parts of acts," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Skinner rose to a question of privilege, and stated that a person by the name of Van Hoesen was going around representing himself as in the employ of the railroad committee, and borrowing money; he wished to say that there was no such man employed by said committee, and he understood from the Clerk that there was no such person employed in or about the Assembly.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act repealing certain acts and parts of acts."

"An act to amend section 68 of chapter 5 of title 4 of part 1 of the Revised Statutes, entitled 'Of public officers.'"

"An act to amend chapter 489 of the Laws of 1873, entitled 'An act to amend an act entitled 'An act for the better security of mechanics and others erecting buildings in the counties of Westchester, Oneida, Cortland, Broome, Putnam, Rockland, Orleans, Niagara, Liv-

ington, Otsego, Lewis, Orange and Dutchess, passed April 17, 185 and as amended by chapter 558 of the Laws of 1879, entitled 'An Act for the better security of mechanics and others erecting buildings either of the counties of this State, except the counties of Erie, King, Queens, New York and Onondaga.'"

And after some time spent therein, Mr. Speaker resumed the chair and Mr. Fiske, from said committee, reported progress upon the first named bill, and asked and obtained leave to sit again.

Mr. Fiske, from said committee, also reported that the committee had stricken out the first section of the second named bill.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Bill rejected.

Mr. Fiske, from said committee, also reported in favor of the passage of the last named bill, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Terry moved that the committee of the whole be discharged from the further consideration of the first named bill, and that the same be engrossed for a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

*Ordered*, That said bill be engrossed for a third reading.

On motion of Mr. Terry, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }  
{ NOES 7 }

Those who voted in the affirmative, were

Andrews	Cullinan	Kennedy	Shanley
Baker, B. F.	Curtis	Lefever	Sheridan
Baker, C. S.	Cushing	Lindsay	Sipp
Beach	Davis	Low	Skinner
Beates	Deane	McAvoy	Slingerland
Benedict, E. D.	Dougherty	McCabe	Tallmadge
Benedict, T. E.	Duell	McCarthy	Terry
Bennett	Duguid	McTernan	Thilemann
Bradley	Evans	Mitchell	Tosier
Brennan	Fish	Morgan	Travis
Bridges	Fiske	Newman	Tully
Brodsky	Fitzgerald	Nowlan	Tuttle, R. M.
Bullock	Gibbs	O'Connor	Van Valkenburgh
Case	Griggs	Parker	Varnum
Catlin	Grosse	Peck	Walsh
Chamberlain	Gwinup	Phillips	Warner
Clark	Hagan	Pitcher	Wells, J. L.
Cohen	Hayes	Potts	Weston
Comstock	Hoffman	Roberts	Wiley
Congdon	Hurd	Root	Wren
Cookinham	Husted	Russell	Youngs
Costello	Ingersoll	Seeley	Mr. Speaker

Those who voted in the negative, were

Alvord	Chickering	Havens	Potter
Carpenter, E. A.	Ellis	Mead	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned Senate bill entitled "An act to amend the Code of Civil Procedure," with a message that they had made the following amendments :

In line 6 of engrossed bill insert before the word, "*pharmaceutist*" the word "*licensed*."

Mr. Brodsky moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Lefever	Sipp
Andrews	Cushing	Low	Skinner
Baker, B. F.	Davis	McAvoy	Slingerland
Baker, C. S.	Deane	McCarthy	Tallmadge
Beach	Dougherty	Miller	Terry
Beates	Duell	Mitchell	Thilemann
Benedict, E. D.	Duguid	Newman	Tozier
Bennett	Evans	Nowlan	Travis
Bridges	Fish	Parker	Tully
Brodsky	Fiske	Phillips	Tuttle, R. M.
Bullock	Fitzgerald	Pitcher	Varnum
Carpenter, E. A.	Gray	Potter	Warner
Case	Griggs	Roberts	Waterbury
Catlin	Grosse	Root	Wells, J. L.
Chase	Hagan	Russell	Weston
Chickering	Hayes	Sanders	Wiley
Clark	Hoffman	Seeley	Wren
Comstock	Hurd	Shanley	Youngs
Cookinham	Husted	Sheridan	Mr. Speaker
Cullinan	Kennedy		

Mr. Brodsky moved that the Senate amendments to said bill be concurred in.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Comstock	Hoffman	Russell
Andrews	Congdon	Hurd	Seeley
Baker, B. F.	Costello	Husted	Shanley
Baker, C. S.	Curtis	Ingersoll	Sheridan
Beach	Davis	Kennedy	Sipp
Beates	Deane	Lefever	Slingerland
Benedict, E. D.	Dougherty	Lindsay	Tallmadge
Bennett	Duell	McAvoy	Terry
Bradley	Duguid	McCabe	Travis
Bridges	Ellis	Miller	Tully

Brodsky	Evans	Mitchell	Tuthill, H. H.
Bullock	Fish	Morgan	Varnum
Carpenter, E. A.	Fiske	Newman	Warner
Case	Gibbs	Nowlan	Wells, J. L.
Catlin	Gillette	Parker	Weston
Chase	Gray	Pitcher	Wiley
Chickering	Griggs	Potter	Wren
Clancy	Grosse	Potts	Youngs
Clark	Hagan	Roberts	Mr. Speaker
Clowes	Hayes	Root	

Those who voted in the negative, were

Low

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate sent for concurrence the following resolution :

*Resolved* (if the Assembly concur), That a respectful message be sent to the Governor asking him to return Senate bill No. 10, entitled "An act further to amend chapter 147 of the Laws of 1876, entitled 'An act granting to the United States the right to acquire the right of way necessary for the improvement of the Harlem river and Spenten Duyvil creek, from the North river to the East river, through Harlem Kills, and ceding jurisdiction over the same, as amended chapter 345 of the Laws of 1829.'"

Mr. Speaker put the question whether the House would agree to the resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk return said resolution to the Senate, with a message informing of concurrence therein.

The Senate sent for concurrence the bills entitled as follows :

"An act to establish a State board of health," which was read the first time, and by unanimous consent was also read the second time and referred to the committee on public health.

"An act for the removal of the reservoir situated in the city of New York, between Fortieth and Forty-second streets," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

A message from the Senate was received and read informing of concurrence in the passage of the bills entitled as follows :

"An act in relation to the office of commissioner of highways in the town of Stony Point, Rockland county."

"An act in relation to the office of overseer of the poor of the town of Stony Point, Rockland county."

"An act for the relief of the Manhattan Savings Institution of the city of New York, and to authorize the city of Yonkers to issue bonds for certain purposes."

*Ordered*, That the Clerk deliver said bills to the Governor.

Privileges of the floor were granted to Hon. Monroe Hall.

On motion of Mr. Husted, and at 1 o'clock and 20 minutes House adjourned.

## MONDAY EVENING, MARCH 15, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Morrow.

The journal of Friday was read and approved.

Privileges of the floor were granted to Hon. R. S. Kelsey and Hon. Duryea Beekman.

Leave of absence were granted to Mr. Gillette until Wednesday, and Mr. Gwinup until Thursday.

Mr. C. S. Baker offered for the consideration of the House the following privileged resolution.

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor, asking the return of Assembly bill introductory No. 761, entitled "An act to further amend chapter 143 of the Laws of 1861, entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester, and to consolidate therewith the several acts in relation to the charter of said city, as amended by chapter 14, Laws of 1880,'" for amendment

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Speaker announced that when the hour of two arrived on Wednesday the House was in committee of the whole on Assembly bills entitled "An act to incorporate the Grand Legion Select Knights of Ancient Order of United Workmen."

"An act to authorize trustees of religious corporations to arrest persons disturbing religious meetings."

Senate, "An act to authorize the construction of a bridge over the Erie canal at Tonawanda," and that with the consent of the House would now proceed in committee of the whole to the consideration of said bills.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to incorporate the Grand Legion Select Knights of Ancient Order of United Workmen."

"An act to authorize trustees of religious corporations to arrest persons disturbing religious meetings."

Senate, "An act to authorize the construction of a bridge over the Erie canal at Tonawanda."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. B. F. Baker, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. B. F. Baker, from said committee, also reported in favor of the passage of the second named bill, with amendments, and have amended the title by inserting after the word "corporations" the words "to appoint officers," which report was agreed to, and the same ordered engrossed for a third reading.

Mr. B. F. Baker, from said committee, also reported in favor of the passage of the last named bill, which report was agreed to, and the same ordered to a third reading.



The Senate sent for concurrence the bill entitled "An act to secure uniform ballots and preserve the purity of elections," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Husted, and by unanimous consent, said bill was substituted for Assembly bill No. 412, on same subject.

Mr. Clerk announced the appointment of James H. Kannary as messenger, in place of William R. Pitts, resigned, from and including March 16, and for the remainder of the session of 1880.

The Senate sent for concurrence the bills entitled as follows:

"An act to amend section 13 of article 1 of title 13, chapter part 1 of the Revised Statutes, entitled 'Of medical societies,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 8 of part 1 of the Revised Statutes, entitled 'Of the duties of the executive officers of the State and various matters connected with their respective departments,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to transfer the town of Berlin, in the county of Rensselaer, from the first to the second school commissioner district of said county, and the town of Brunswick, in said county, from the second to the first school commissioner district of said county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

"An act to authorize the reception and treatment in Bellevue Hospital of persons who do not reside in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State charitable institutions.

"An act in relation to highway labor and the construction of sidewalks in the village of Whitney's Point," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

"An act to amend chapter 863 of the Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn and the various amendments thereof,' passed June 28, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to create a board of estimate for the county of Kings and the city of Brooklyn, and to prescribe the manner in which appropriations shall be made for the support of the government of said county and said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to amend chapter 524 of the Laws of 1853, entitled 'An act to amend an act entitled 'An act to incorporate the Montezuma Turnpike and Bridge Company,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to confirm the election of trustees in the village of Haverstrating-on-Hudson, in the county of Westchester, and to provide for their election hereafter," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

"An act to provide for the completion and opening for public travel of the New York and Brooklyn bridge, and to authorize the sale and conveyance of certain gores and pieces of land by the trustees thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act making an appropriation to continue the work on the new Capitol building," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

A message from the Senate was received and read, informing of concurrence in the following bills:

"An act to enforce the collection of the taxes levied in the county of Oneida."

"An act to subject the town of Scipio, in the county of Cayuga, to the provisions and operation of chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State and to prescribe their powers and duties,'"

"An act to provide for the improvement and care of private parks in the several cities in this State."

*Ordered*, That the Clerk deliver said bills to the Governor.

Mr. Skinner introduced a bill entitled "An act to amend chapter 817 of the Laws of 1873, entitled 'An act to provide for the support of the poor in the county of Jefferson,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Wren introduced a bill entitled "An act to amend chapter 123 of the Laws of 1854, entitled 'An act to promote medical science,' passed April 1, 1854," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Mr. E. D. Benedict introduced a bill entitled "An act to amend section 2 of chapter 405 of the Laws of 1879, entitled 'An act to amend sections 2 and 10 of chapter 248 of the Laws of 1878,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Brodsky (by request) introduced a bill entitled "An act relating to suits for the recovery of moneys due for the work and labor or service of employees," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Grosse introduced a bill entitled "An act relating to criminal proceedings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill entitled "An act to amend chapter 646 of the Laws of 1873, entitled 'An act to suppress intemperance, pauperism and crime,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, the bill entitled "An act to secure speedy justice to persons working for wages," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Alvord introduced a bill entitled "An act to preserve the rail fall in the forests of this State by the establishment of parks, preserves and hunting grounds in the same," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Duguid introduced a bill entitled "An act to authorize the trustees of the Manlius Academy to transfer and convey their academic property to the board of education of Union Free School No. 1 in the town of Manlius in the county of Onondaga," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Youngs introduced a bill entitled "An act to amend chapter 510 of the Laws of 1869, entitled 'An act to amend an act to incorporate the village of Flushing, passed April 15, 1837, and the several acts amendatory thereof,' passed March 20, 1857," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Strait introduced a bill entitled "An act to amend chapter 325 of the Laws of New York, entitled 'An act to incorporate the village of Bath-on-the-Hudson, Rensselaer county, New York, passed March 5, 1874, and chapter 162 of the Laws of New York, entitled 'An act to amend chapter 325 of the Laws of 1874, entitled 'An act to incorporate the village of Bath-on-the-Hudson, Rensselaer county, New York,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages. Accompanied by a petition on the same subject."

Mr. B. F. Baker introduced a bill entitled "An act to amend chapter 337, Laws of 1864, entitled 'An act to facilitate the construction of water ways and to increase the navigation in the transportation of freight and passengers,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Beach introduced a bill entitled "An act to exempt that portion of the Chemung canal, lying between the head of Seneca Lake and lock No. 1, on said Chemung canal, from the operation of chapter 404 of the Laws of 1877, and chapter 344 of the Laws of 1878, which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Also, the bill entitled "An act to confirm and legalize the acts of Albert C. Frost, a notary public of the county of Schuylers, since March 30, 1878," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Nowlan introduced a bill entitled "An act making a widow's right of dower in lands sold by her husband depend upon the previous registration of her marriage," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Lefever introduced a bill entitled "An act for the relief of the Union Plank Road Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Rhodes introduced a bill entitled "An act to compel the maintaining of certain lights on draw-bridges across the navigable waterways."

of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Clowes (introductory No. 468), entitled "An act to amend chapter 268 of the Laws of 1877, entitled 'An act in relation to the collection of taxes and the sale of lands therefor in certain towns in Queens county,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Messrs. Ingersoll, Hurd, Shuit, Sheridan, Potter and Duguid presented petitions against any alteration in the excise laws; which were read and referred to the committee on internal affairs.

Mr. Potter presented a petition in favor of a law prohibiting the manufacture and sale of intoxicating liquors; which was read and referred to the committee on internal affairs.

Messrs. Potter, Curtis and Miller presented petitions in favor of the bills recommended by the special railroad committee; which were read and referred to the committee of the whole.

Mr. Grosse presented a petition for a change in the present game laws; which was read and referred to the committee on game laws.

Mr. Curtis presented a petition in favor of an act for the assessment and taxation of all town and city bonds issued in aid of railroads in the towns and cities, respectively, that issued them; which was read and referred to the committee on special taxation.

Mr. C. S. Baker presented petitions for a repeal of the laws exempting church property and ministers from taxation; which were read and referred to the committee on special taxation.

Mr. Chickering presented a petition asking for a reduction of tolls on foreign salt; which was read and referred to the committee on canals.

Messrs. Bridges and Potter presented petitions in favor of separate institutions for convicted women; which were read and referred to the committee on State prisons.

Mr. Varnum presented a petition of New York Produce Exchange for the passage of the bill to facilitate erection of new buildings by the New York Produce Exchange; which was read and referred to the committee on affairs of cities.

Mr. Terry offered for the consideration of the House a resolution in the words following:

*Whereas*, The time for the committee on the judiciary to report a general registry bill expires to-day; and,

*Whereas*, The committee have not yet completed the bill,

*Resolved*, That the time within which the said committee may report such bill is hereby extended twenty days.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Rhodes called from the table a resolution previously offered by him in the words following:

*Resolved* (if the Senate concur), That John F. Smyth be and he is hereby removed from the office of Superintendent of the Insurance Department, in pursuance of the provisions of chapter 335 of the Laws of 1867.

Mr. C. S. Baker moved that said resolution be referred to the committee on ways and means.

Mr. Skinner moved to amend by laying said resolution on the table.

Mr. Speaker put the question whether the House would agree to said motion, as amended, and it was determined in the affirmative.

Mr. Mitchell called from the table a resolution previously offered him in the words following:

*Resolved*, That the committee on railroads be requested, if deemed advisable by them, to report a bill to repeal so much of section 33 of chapter 140 of the Laws of 1850, as reads as follows: "but the company shall not, without the consent of the corporation, be so reduced as to produce with said profits less than ten per centum per annum on the capital actually expended, nor unless on an examination of the amounts received and expended, to be made by the State Engineer and Surveyor and the Comptroller, they shall ascertain that the net income derived by the company from all sources for the year then last past shall not exceed an annual income of ten per cent upon the capital of the corporation actually expended."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative.

Mr. Mitchell offered for the consideration of the House a resolution in the words following:

*Resolved*, That the State Engineer and Surveyor and the Comptroller be requested to make an examination of the amounts received and expended by the several railroad companies in this State, and to ascertain the net income derived by such companies from all sources for the year last past, and whether such income has exceeded an annual income of ten per cent upon the capital of the corporation actually expended, as provided in section 33 of chapter 140 of the Laws of 1850, and to report to this House with all convenient speed the results of their investigation; and, further

*Resolved*, That they be requested to investigate and report, first in order, as to the elevated railroad corporation in New York city.

Said resolution giving rise to debate,

*Ordered*, That the same be laid upon the table.

Mr. Brodsky offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 312, entitled "An act for the relief of persons who performed the duties of clerks and assistants of clerks of district courts in the city of New York, in the year 1876," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of the members present voting in favor thereof.

Mr. Pitcher offered for the consideration of the House a resolution in the words following:

*Resolved*, That Senate bill No. 90, entitled "An act to amend chapter 497 of the Laws of 1874, entitled 'An act to amend the charter of the city of Poughkeepsie and to consolidate with it other acts relating to said city,'" be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of the members present voting in favor thereof.

Mr. Evans offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee of the whole be discharged from

further consideration of Assembly bill No. 355, general orders No. 383, entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" and that the same be recommitted to the committee on internal affairs, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. C. S. Baker offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 328, entitled "An act for the better security of the bonds of public officers and others," be recommitted to the committee on insurance, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Andrews offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 229, entitled "An act conferring additional powers and duties upon the mayor of the city of Binghamton," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Speaker presented the annual report of the Auditor of the Canal Department on the trade, tolls and tonnage of the canals for the year 1879; which was laid on the table and ordered printed.

(See Doc. No. 90.)

Mr. Speaker announced the order of business, general orders.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

Senate, "An act to amend chapter 497 of the Laws of 1874, entitled 'An act to amend the charter of the city of Poughkeepsie and to consolidate with it other acts relating to said city.'"

"An act for the relief of persons who performed the duties of clerks and assistant clerks of district courts in the city of New York, in the year 1876."

Senate, "An act to amend sections 17 and 18, article 2, title 9, chapter 9, part 1 of the Revised Statutes, in relation to canals."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Wren, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Wren, from said committee, also reported in favor of the passage of the second named bill, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Wren, from said committee, also reported in favor of the passage of the last named bill, with amendments, which report was agreed to and the same ordered to a third reading.

Mr. Husted moved to discharge the committee of the whole from the further consideration of the first named bill, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Cookinham, and at 10 o'clock and 15 minutes the House adjourned.

## TUESDAY MORNING, MARCH 16, 1880.

• The House met pursuant to adjournment.

Prayer by Rev. T. S. Hamlin of Troy.

The journal of yesterday was read and approved.

A message was received from the Governor in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER,  
ALBANY, March 15, 1880.

*To the Legislature :*

The annual report of the Comptroller of the Sailor's Snug Harbor in the city of New York, for the year 1879, is herewith respectfully submitted.

ALONZO B. CORNELIUS

Privileges of the floor were granted to Hon. R. H. Hanley, Hon. P. Brewer, Hon. J. A. Griswold, Hon. Mr. Jones, Hon. Mr. May and Hon. Titus Sheard.

Leave of absence was granted to Mr. C. S. Baker.

A message from the Senate was received and read, informing of concurrence in the following resolution :

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor asking the return of Assembly bill (introductory 761), entitled "An act to further amend chapter 143, of the Laws of 1861, entitled 'An act to amend and consolidate the several acts in relation to the city of Rochester, and to consolidate therewith the several acts in relation to the charter of said city, as amended by chapter 14, Laws of 1880,'" for amendment.

*Ordered*, That the Clerk deliver said bill to the Governor.

Mr. Speaker introduced a bill entitled "An act to provide for a better government and discipline of prisons and jails in the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Slingerland (by request) introduced a bill entitled "An act to authorize the selection of a site for a public building in the city of Albany for the use of said city and the county of Albany, and to provide means for the construction thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Andrews introduced a bill entitled "An act to amend chapter 143, of the Laws of 1861, entitled 'An act to legalize the adoption of minor children by persons, passed June 25, 1873,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Weston introduced a bill entitled "An act for the appointment of game and fish protectors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Newman introduced a bill entitled "An act to authorize the common council of the city of Brooklyn to fix the time and place for the sale of the park lands now authorized to be sold ; to fix the terms and conditions of such sale, and to determine whether any portion



thereof shall be retained for public use by said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Russell (by request) introduced a bill entitled "An act relating to the collection of the unpaid taxes, water rates and assessments, in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Hayes introduced a bill entitled "An act to abolish the office of marshal of the city of New York, and to provide for the appointment of officers in lieu of marshals in said city and making certain regulations concerning the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Mitchell introduced a bill entitled "An act to amend chapter 471 of the Laws of 1879, entitled 'An act authorizing certain sums of money to be paid to prisoners confined in county penitentiaries upon their discharge therefrom,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State prisons.

Mr. Crapser introduced a bill entitled "An act for the improvement of the east and west branches of the St. Regis river," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means. Accompanied by a petition.

Mr. Speaker introduced a bill entitled "An act providing for the holding of the annual town meeting of the town of Esopus at three polls," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs. Accompanied by a petition.

Mr. Bradley introduced a bill entitled "An act to impose a license fee on the introduction of certain private and local bills," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Alvord moved to take from the table the adverse report of the committee on general laws on Senate bill introductory No. 13, entitled "An act to exempt the county of Orange from the requirements of chapter 280 of the Laws of 1845, entitled 'An act for the publication of the Session Laws in two newspapers in each county.'"

Mr. Speaker put the question whether the House would agree to take said report from the table, and it was determined in the affirmative.

Mr. Alvord moved to disagree with said report, and said bill be referred to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Hurd, from the committee on canals, to which was referred the bill introduced by Mr. Morgan (introductory No. 74), entitled "An act relating to the banks and prism of the Genesee Valley canal, and for the sale thereof," reported said bill for the consideration of the House with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Skinner (introductory No. 804)



entitled "An act to amend chapter 817 of the Laws of 1873, entitled 'An act to provide for the support of the poor in the county of Jefferson,'" reported in favor of the passage of the same, which report agreed to and said bill committed to the committee of the whole.

Mr. Chickering, from the committee on game laws, to which referred the bill introduced by Mr. Cullinan (introductory No. 3) entitled "An act to amend an act entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,'" reported in favor of the passage of the same with amendments, which report agreed to and said bill committed to the committee of the whole.

The special committee on taxation reported a bill entitled "An act in relation to the taxation of savings banks and institutions for savings," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Skinner moved that Assembly bill entitled "An act to amend chapter 817 of the Laws of 1873, entitled 'An act to provide for the support of the poor in the county of Jefferson,'" be referred to a sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Curtis, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Terpeny (introductory No. 515), entitled "An act for the relief of the Young Men's Hebrew Association of Harlem," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Russell offered for the consideration of the House the following privileged resolution:

*Resolved*, That Assembly bill No. 372, general orders No. 405, entitled "An act in relation to the government of the city of Brooklyn," be made the special order for Wednesday, March 17, 1880, immediately after the reading of the journal.

Mr. Tallmadge moved to amend by striking out "Wednesday" and insert in lieu thereof "Tuesday morning next, immediately after the reading of the journal."

Mr. Speaker put the question whether the House would agree to the motion to amend, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the resolution of Mr. Russell, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Griggs offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 207, entitled "An act to revise and consolidate the general acts relating to the relief and support of indigent persons," be made a special order for Thursday morning, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

A message was received from the Governor in the words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER,  
ALBANY, March 15, 1880.

*To the Assembly:*

In accordance with a joint resolution of the Senate and Assembly

herewith is returned for amendment Assembly bill No. 77, entitled "An act to authorize the sale of lands in the town and village of Saratoga Springs for unpaid State, county and municipal taxes, including water-rates and special assessments."

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Deane	Husted	Shuit
Andrews	Dougherty	Ingersoll	Sisson
Baker, B. F.	Douglass	Liddle	Skinner
Baker, C. S.	Duell	Low	Slingerland
Beach	Duguid	McCabe	Terpeny
Benedict, T. E.	Ellis	Miller	Terry
Bennett	Evans	Mitchell	Titus
Bradley	Ferris	Mooers	Tozier
Bridges	Fish	Newman	Travis
Brodskey	Fiske	Nowlan	Tully
Carpenter, I. S.	Fitzgerald	O'Brien	Tuthill, H. H.
Catlin	Gibbs	Parker	Tuttle, R. M.
Chase	Gorsline	Peck	Van Valkenburgh
Childs	Gray	Phillips	Varnum
Clark	Griggs	Pitcher	Walsh
Clowes	Grosse	Potter	Warner
Comstock	Hagan	Potts	Wells, J. L.
Cookinham	Hayes	Rhodes	Weston
Cullinan	Hoffman	Root	Younge
Curtis	Howland	Russell	Mr. Speaker
Davis	Hurd	Seeley	

On motion of Mr. Potter, and by unanimous consent, said bill was amended as follows:

Strike out section 9, and change the number of the 10th section to the 9th section.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Craper	Husted	Shuit
Andrews	Cullinan	Ingersoll	Sisson
Baker, B. F.	Curtis	Liddle	Skinner
Baker, C. S.	Davis	Low	Slingerland
Beach	Deane	McAvoy	Terpeny
Benedict, T. E.	Douglass	McCabe	Terry
Bennett	Duell	Miller	Titus
Bradley	Ellis	Mitchell	Tormey

Brennan	Evans	Mooers	Tozier
Brodsky	Ferris	Newman	Travis
Carpenter, E. A.	Fish	Parker	Tully
Carpenter, I. S.	Fiske	Peck	Tuthill, H. H.
Case	Gorsline	Phillips	Tuttle, R. M.
Chase	Gray	Pitcher	Van Valkenburg
Chickering	Griggs	Potter	Varnum
Childs	Grosse	Potts	Walsh
Clark	Hagan	Rhodes	Warner
Clowes	Hayes	Root	Wells, J. L.
Comstock	Hoffman	Sanders	Weston
Congdon	Howland	Seeley	Youngs
Cookinham	Hurd	Sherman	Mr. Speaker

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A message was received from the Governor in words following:

STATE OF NEW YORK,  
ALBANY, March 6, 1880.

*To the Assembly:*

In accordance with a joint resolution of the Senate and Assembly herewith is returned for amendment Assembly bill entitled "An act further amend chapter 143 of the Laws of 1861, entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester, and to consolidate therewith the several acts in relation to the charter of said city, as amended by chapter 14, Laws of 1880'."

ALONZO B. CORNELL

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Ingersoll	Seeley
Andrews	Curtis	Kennedy	Sherman
Baker, C. S.	Cushing	Lefever	Shuit
Beach	Davis	Liddle	Sisson
Beates	Deane	Lindsay	Skinner
Benedict, E. D.	Dougherty	Low	Slingerland
Benedict, T. E.	Douglass	McAvoy	Terpeny
Bennett	Duell	McCabe	Terry
Bradley	Ellis	Miller	Titus
Brennan	Evans	Mitchell	Tormey
Brodsky	Fish	Mooers	Tozier
Carpenter, E. A.	Fiske	Newman	Travis
Carpenter, I. S.	Fitzgerald	Nowlan	Tully
Case	Gorsline	O'Connor	Tuthill, H. H.
Catlin	Gray	Parker	Tuttle, R. M.
Chase	Griggs	Peck	Van Valkenburg
Chickering	Grosse	Phillips	Varnum
Childs	Hagan	Pitcher	Walsh
Clark	Hayes	Potter	Warner
Clowes	Hoffman	Potts	Wells, J. L.

Comstock	Howland	Rhodes	Weston
Congdon	Hurd	Root	Youngs
Cookinham	Husted	Russell	Mr. Speaker
Crapser			

On motion of Mr. C. S. Baker, and by unanimous consent, said bill was amended in words following:

Section 45. Strike out all after the word "the" in section 45 down to word "appointed," and insert "the common council shall annually determine the salary to be paid to the mayor, which shall not be less than \$2,000 per annum, and shall also annually determine the salary to be paid to the police justice, which shall not be less than \$2,000 per annum, and shall also annually determine the salary to be paid to the city treasurer, and to any officer appointed."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 96 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Kennedy	Sheridan
Andrews	Cullinan	Lefever	Sherman
Baker, B. F.	Curtis	Liddle	Shuit
Baker, C. S.	Cushing	Lindsay	Sipp
Beach	Davis	Low	Sisson
Beates	Deane	McAvoy	Skinner
Benedict, E. D.	Duell	McCabe	Slingerland
Bennett	Duguid	McCarthy	Terpeny
Bradley	Ellis	Mead	Terry
Brennan	Evans	Miller	Thilemann
Brodsky	Ferris	Mitchell	Titus
Bullock	Fish	Mooers	Tormey
Carpenter, E. A.	Fiske	Newman	Tozier
Carpenter, I. S.	Gorsline	Nowlan	Travis
Case	Gray	O'Connor	Treanor
Catlin	Griggs	Parker	Tully
Chamberlain	Grosse	Peck	Tuttle, R. M.
Chase	Hagan	Phillips	Van Valkenburgh
Childs	Havens	Pitcher	Varnum
Clark	Hoffman	Potter	Walsh
Clowes	Howland	Potts	Warner
Comstock	Hurd	Root	Wells, J. L.
Congdon	Husted	Russell	Weston
Cookinham	Ingersoll	Seeley	Mr. Speaker

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

By unanimous consent,

Mr. Sisson introduced a bill entitled "An act to authorize the board of trustees of Putnam union free school district No. 10, of White Creek and Jackson, to sell and convey a portion of the real estate constituting their school-house debt," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Sisson, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Kennedy	Sheridan
Andrews	Deane	Lefever	Shuit
Baker, C. S.	Dougherty	Liddle	Sisson
Beach	Douglass	Lindsay	Skinner
Beates	Duell	Low	Slingerland
Benedict, E. D.	Ellis	McAvoy	Terry
Benedict, T. E.	Evans	McTernan	Thilemann
Bennett	Fish	Mead	Titus
Brennan	Fiske	Miller	Tormey
Brodsky	Fitzgerald	Mitchell	Travis
Carpenter, E. A.	Gibbs	Mooers	Treanor
Carpenter, I. S.	Gorsline	Newman	Tuthill, H. H.
Case	Gray	Nowlan	Tuttle, R. M.
Catlin	Griggs	O'Connor	Van Valkenburgh
Chase	Grosse	Parker	Varnum
Chickering	Hagan	Phillips	Walsh
Clowes	Hayes	Potts	Warner
Comstock	Hoffman	Rhodes	Waterbury
Congdon	Howland	Root	Wells, J. L.
Crapser	Hurd	Russell	Weston
Cullinan	Husted	Seeley	Youngs
Curtis	Ingersoll		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Case introduced a bill entitled "An act to amend an act in relation to the village of Canandaigua, and to provide a police justice and police constables in said village, and defining their jurisdiction, power and duties, passed April 6, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

By unanimous consent,

Also, the bill entitled "An act to amend an act entitled 'An act extending the powers of the trustees of the village of Canandaigua,' passed May 24, 1876," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

By unanimous consent,

Mr. Nowlan introduced a bill entitled "An act authorizing the commissioners of the several towns and cities of the counties of Cayuga, Tompkins, Cortland and Tioga to sell stock of Southern Central Railroad with which to pay the bonded indebtedness of such towns and cities," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

This being the day assigned, under the rule, for the consideration of general orders,

The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act to amend section 9, chapter 11, article 1, title 2, part 1 of the Revised Statutes, and supplementary thereto."

"An act to amend chapter 379 of the Laws of 1879, entitled 'An act prescribing the officers and employees that may be elected, appointed or employed by the Senate and Assembly fixing the salary and compensation thereof, and regulating the proceedings of investigating committees, and providing for the payment of the expenses thereof.'"

"An act to amend chapter 737 of the Laws of 1873, entitled 'An act in relation to the creation and formation of water-work companies in towns and villages of the State of New York.'"

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Duell, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Duell, from said committee, also reported in favor of the passage of the second named bill, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Duell, from said committee, also reported in favor of striking out the enacting clause of the third named bill.

Mr. Cookinham moved to discharge the committee of the whole from the further consideration of the first named bill, and that the same be ordered engrossed for a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Cookinham moved that said first named bill be referred to the committee on general laws, retaining its place on order of third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Bradley moved to lay the last named bill with the report of the committee on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Varnum introduced a bill entitled "An act to amend chapter 335 of the Laws of 1873, entitled 'An act to reorganize the local government of the city of New York, passed April 30, 1873,' and to reduce the burden of taxes to be levied in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Alvord introduced a bill entitled "An act to amend chapter 371 of the Laws of 1875, entitled 'An act to confirm the charter of all savings banks or institutions for savings to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for their supervision and for the administration of their affairs,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

A message from the Senate was received and read, informing of appointment of the following conference committees :

On bill entitled "An act conferring upon the board of Canal Appraisers the power to allow amendments to claims," Messrs. Baker, Pitts and Stevens.

On bill entitled "An act to abolish the use of weigh-locks on the canals," Messrs. McCarthy, Williams and Bixby.

Mr. Van Valkenburgh offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill printed No. 331, general orders No. 357, entitled "An act in relation to a certain bridge over the Erie canal on Mill street in the city of Lockport," be considered in the next committee of the whole not full.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to confer power upon the common council of the city of New York to complete the restoration of Tompkins Square as a public park."

"An act to provide for the compilation and revision of the laws of the State of New York affecting banks, banking and trust companies."

"An act repealing certain acts and parts of acts."

"An act to amend chapter 489 of the Laws of 1873, entitled 'An act to amend an act entitled 'An act for the better security of mechanics and others erecting buildings in the counties of Westchester, Oneida, Cortland, Broome, Putnam, Rockland, Orleans, Niagara, Livingston, Otsego, Lewis, Orange and Dutchess,' passed April 17, 1855, and as amended by chapter 558 of the Laws of 1869, entitled 'An act for the better security of mechanics and others erecting buildings in either of the counties of this State, except the counties of Erie, King, Queens, New York and Onondaga.'"

"An act to authorize trustees of religious corporations to appoint officers to arrest persons disturbing religious meetings."

"An act for the relief of persons who performed the duties of clerks and assistant clerks of district courts in the city of New York, in the year 1876."

Mr. Youngs offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 201, general orders No. 218, entitled "An act to authorize the trustees of the village of Flushing to exempt property from taxation," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

By unanimous consent,

Mr. Sanders introduced a bill entitled "An act to provide for building a bridge across the Tonawanda creek, on the Tonawanda Indian Reservation, and making an appropriation for the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

The Senate sent for concurrence the bill entitled as follows:

"An act authorizing the appointment of commissioners to select a site for a State Home for the Blind," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

The hour of 2 having arrived the House adjourned until to-morrow morning at 11 o'clock.

## WEDNESDAY MORNING, MARCH 17, 1880.

The House met pursuant to adjournment.

Prayer by the Rev. Samuel E. Smith.

The journal of yesterday was read and approved.

Privileges of the floor were granted to Hon. J. A. Gross, Hon. H. H. Rockwell, Hon. E. Edwards, Hon. Dominick H. Roche, and Hon. W. H. Corsa.

Mr. Griggs introduced a bill entitled "An act to amend 'An act relating to courts, officers of justice and civil proceedings,' passed June 2, 1876," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. C. S. Baker introduced a bill entitled "An act to amend chapter 902 of the Laws of 1869, in relation to securities deposited by life insurance companies with the Superintendent of Insurance," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Root introduced a bill entitled "An act to further amend an act entitled 'An act to amend an act to prevent animals from running at large in the public highways, passed April 23, 1862, and to create a short bar to actions arising under said act,' passed May 9, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Grosse introduced a bill entitled "An act relating to the elevated railroads, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. T. E. Benedict introduced a bill entitled "An act to further amend an act entitled 'An act to amend chapter 65 of the Laws of 1878, relating to the collection of taxes in the counties of Livingston, Montgomery, Oswego, Ulster and Ontario, and amended by chapter 200 of the Laws of 1879,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Tozier introduced a bill entitled "An act to promote agriculture and to facilitate the formation of agricultural and horticultural societies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

Mr. Youngs introduced a bill entitled "An act in relation to the overseer of the poor of the town of Flushing, Queens county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. I. S. Carpenter introduced a bill entitled "An act to amend the Revised Statutes in relation to highways," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Also, the bill entitled "An act to legalize the official acts of Barclay Haviland, a justice of the peace of the town of Washington in the county of Dutchess," which was read the first time, and by unanimou



consent was also read the second time, and referred to the committee on the judiciary.

Privilege of the floor was granted to Hon. Ambrose Wager.

The Senate returned Assembly bill entitled "An act to authorize the sale of lands in the town and village of Saratoga Springs, for unpaid State, county and municipal taxes including water rates and special assessments."

*Ordered*, That the Clerk deliver said bill to the Governor.

Mr. J. L. Wells presented a remonstrance to Assembly bill No. 33 "For the protection of seamen in the port of New York;" which was read and referred to the committee on commerce and navigation.

Mr. Hayes presented a memorial relative to the claims of the Fox estate of the city of New York; which was read and referred to the committee on affairs of cities.

Mr. C. S. Baker presented a petition praying for the repeal of the law exempting church property from taxation; which was read and referred to the special committee on taxation.

A petition of the Women's Suffrage Society, relating to the qualifications of voters for presidential electors; which was read and referred to the committee on the judiciary.

Mr. Bridges presented a petition asking the passage of an act taxing railroad bonds in the towns where issued; which was read and referred to the special committee on taxation.

Mr. Weston presented a petition asking that the school year be made to begin Aug. 1; which was read and referred to the committee on public education.

Mr. Hayes presented a petition in favor of the passage of a resolution to investigate insane asylums; which was read and referred to the committee on ways and means.

Messrs. Hurd, Parker, Curtis, Tuthill, Howland, Low, Duguid, Gorsline, Kennedy, Nowlan and Chamberlain presented petitions in favor of the railroad bill reported by the special committee; which were read and referred to the committee on railroads.

Messrs. Tuttle, Chase, Sherman, and Sisson presented petitions against the railroad bill reported by the special committee on railroads, which were read and referred to the committee on railroads.

Mr. Brennau presented a petition of tax payers and shippers of Franklin county concerning freight discrimination and excess freight charges imposed by the Ogdensburg and Lake Champlain Railroad Company; which was read and referred to the committee on railroads.

Messrs. Cullinan, Husted, Duguid, Fiske, Potts, Ferris and Balch presented petitions asking for an act providing separate institutions for the detention and reformation of women; which were read and referred to the committee on State prisons.

Messrs. Carpenter and Peck presented petitions asking for a Constitutional amendment prohibiting the manufacture and sale of intoxicating liquors; which were read and referred to the committee on internal affairs.

Mr. Roberts presented a petition for the passage of the bill relating to the Buffalo plank road; which was read and referred to the committee on roads and bridges.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Slingerland (introductory No. 71) entitled "An act for grading and plank-ing Delaware avenue in the

city of Albany, from the north line of Warren street to the division line between the city of Albany and the town of Bethlehem, and to provide for the payment of the same," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. O'Connor (introductory No. 567), entitled "An act for relief of Isaac Piser," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Duguid (introductory No. 754), entitled "An act to amend chapter 340 of the Laws of 1878, entitled 'An act in relation to the repaving of streets in the city of Syracuse, and to amend the charter of said city,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Terpeny (introductory No. 749), entitled "An act in relation to arrears of taxes in the city of New York, and to provide for the reissuing of revenue bonds in anticipation of such taxes," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Travis (introductory No. 642), entitled "An act to amend chapter 558 of the Laws of 1875, entitled 'An act to amend chapter 807, Laws of 1873, entitled 'An act concerning notaries public in the counties of Kings, Queens, Richmond, Westchester and Rockland and in the city and county of New York, and authorizing them to exercise the functions of their office therein,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Tozier (introductory No. 110), entitled "An act in relation to the publication of notices and citations in surrogates' courts," reported adversely thereto.

On motion of Mr. Tozier, said report, with bill, was laid on the table.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Husted (introductory No. 505), entitled "An act relating to physicians," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Fish (introductory No. 478), entitled "An act to legalize the acts of Henry Stork as justice of the peace," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Grosse (introductory No. 797), entitled "An act to secure speedy justice to persons working for wages," reported adversely thereto.

On motion of Mr. Grosse, said report, with bill, was laid on the table.

Mr. Terry, from the committee on the judiciary, to which was

referred the bill introduced by Mr. C. S. Baker (introductory No. 589), entitled "An act to amend chapter 144 of Laws of 1863, entitled 'An act to amend an act entitled 'An act allowing the continued use of copartnership names in certain cases,' passed April 17, 1854," reported adversely thereto.

On motion of Mr. C. S. Baker, said report, with bill, was laid on the table.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Andrews (introductory No. 362), entitled "An act in relation to the payment of costs on arrest, trial and punishment for crimes and misdemeanors in villages, and in relation to the civil jurisdiction of police justices therein," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Case (introductory No. 709), entitled "An act to amend section 5 of chapter 448 of the Laws of 1876, entitled 'An act in relation to courts, officers of justice and civil proceedings,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Howland (introductory No. 537), entitled "An act to confirm the official acts of James S. Williams, Fendelmer E. Moon and Theodore S. Cowles, commissioners of excise in and for the town of Tully, in the county of Onondaga," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Beach (introductory No. 807), entitled "An act to confirm and legalize the acts of Albert C. Frost as notary public of the county of Schuyler," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Duell (introductory No. 653), entitled "An act relating to the care of animals," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Potts (introductory No. 601), entitled "An act to prohibit persons engaged in the business of manufacturing and selling strong and spirituous liquors, wine, ale and beer from holding the office of coroner," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 86), entitled "An act concerning tramps," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Skinner, from the committee on railroads, to which was referred the bill introduced by Mr. Catlin (introductory No. 658), entitled "An act to facilitate the carrying out of plans and agreements for the

reorganization of railroads," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Nowlan (introductory No. 822), entitled "An act authorizing the commissioners of the several towns and cities of the counties of Cayuga, Tompkins, Cortland and Tioga, to sell stock of the Southern Central Railroad, with which to pay the bonded indebtedness of such towns and cities," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Varnum (introductory No. 4), entitled "An act to suppress intemperance by regulating the sale, keeping and disposal of strong, spirituous and intoxicating liquors, wine, ale and beer in the city of New York," reported said bill for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Grosse (introductory No. 502), entitled "An act to amend chapter 628 of the Laws of 1857, entitled 'An act to suppress intemperance and to regulate the sale of intoxicating liquors,'" reported adversely thereto.

On motion of Mr. Grosse, said report with bill was laid on the table.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Sheridan (introductory No. 18), entitled "An act to regulate the sale of intoxicating liquors, wines, ale and beer in the cities of New York and Brooklyn," reported adversely thereto.

Mr. Sheridan moved to disagree with said report, and said bill be laid on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Bill rejected.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Wren (introductory No. 38), entitled "An act to regulate the sale of wines, ale, beer and intoxicating liquors in the cities of New York and Brooklyn," reported adversely thereto.

On motion of Mr. Wren, said report with bill was laid on the table.

Mr. Chickering, from the committee on game laws, to which was referred the bill introduced by Mr. Clark (introductory No. 122), entitled "An act to amend chapter 53 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Bradley, from the committee on State charitable institutions, to which was referred the bill introduced by Mr. Bradley (introductory No. 767), entitled "An act to provide for the establishment of houses of correction and refuge for women," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Bradley, from the committee on State charitable institutions, to

which was referred the bill introduced by Mr. Sharpe (introductory No. 760), entitled "An act to incorporate the State Charities Aid Association," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Bradley, from the committee on State charitable institutions, to which was referred the Senate bill (introductory No. 70), entitled "An act further to amend chapter 446 of the Laws of 1874, entitled 'An act to revise and consolidate the statutes of the State relating to the care and custody of the insane, the management of the asylums for their treatment and safe-keeping, and the duties of the State Commissioner in Lunacy,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Bradley, from the committee on State charitable institutions, to which was referred the Senate bill (introductory No. 142), entitled "An act to authorize the reception and treatment in Bellevue Hospital of persons who do not reside in the city of New York," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Chase, from the committee on agriculture, to which was referred the bill introduced by Mr. Youngs (introductory No. 376), entitled "An act to amend chapter 623 of Laws of 1867, entitled 'An act in confirmation of the conveyance of land to the Queens County Agricultural Society, and extending the powers of the officers of said society,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Hayes, from the committee on expenditures of the House, to which was referred the resolution authorizing and directing the superintendent of the new Capitol to purchase other chairs for the use of the members of Assembly, in place of those now in use, reported in favor of the adoption of the following resolution:

*Resolved*, That the superintendent of the new Capitol be instructed to procure a sufficient number of light, round-backed, cane-bottomed, swing arm-chairs for the use of the members, and that the chairs now in use be used in the committee rooms and other places where they may be needed.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

On motion of Mr. Beach, and by unanimous consent, the committee of the whole was discharged from the further consideration of Assembly bill entitled "An act to legalize the acts of Albert C. Frost as notary public of the county of Schuyler, since March 30, 1873," and said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 80 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Comstock	Hayes	Root
Andrews	Congdon	Howland	Sanders
Baker, B. F.	Cookinham	Hurd	Seeley

Baker, C. S.	Costello	Kennedy	Shuit
Beach	Cullinan	Lefever	Sipp
Beates	Cushing	Lindsay	Sisson
Benedict, E. D.	Davis	Low	Slingerland
Benedict, T. E.	Deane	McAvoy	Terry
Bennett	Dougherty	McCabe	Thilemann
Brennan	Douglass	McTernan	Titus
Bridges	Evans	Mead	Tormey
Brodsky	Ferris	Mitchell	Tozier
Carpenter, E. A.	Fish	Mooers	Travis
Carpenter, I. S.	Fitzgerald	Nowlan	Tully
Chamberlain	Gibbs	O'Connor	Tuthill, H. H.
Chase	Gillette	Peck	Tuttle, R. M.
Chickering	Gorsline	Phillips	Van Valkenburgh
Childs	Gray	Pitcher	Warner
Clowes	Griggs	Potter	Waterbury
Cohen	Grosse	Potts	Wren

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The special committee on taxation reported a bill entitled "An act to amend section 2 of title 1 of chapter 13 of part 1 of the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Also, a bill entitled "An act to provide for the taxation of life insurance companies," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

On motion of Mr. Costello, and by unanimous consent, the committee of the whole was discharged from the further consideration of Assembly bill entitled "An act to confer power upon the common council of the city of New York to complete the restoration of Tompkins Square as a public park," and said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 95 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Comstock	Howland	Shanley
Andrews	Congdon	Hurd	Sheridan
Ash	Cookinham	Ingersoll	Sherman
Baker, B. F.	Costello	Kennedy	Shuit
Baker, C. S.	Cullinan	Lefever	Sipp
Beach	Curtis	Lindsay	Sisson
Beates	Cushing	Low	Skinner
Benedict, E. D.	Davis	McCabe	Slingerland
Bennett	Deane	McCarthy	Tallmadge
Brennan	Dougherty	McTernan	Terry
Bridges	Douglass	Mead	Thilemann
Brodsky	Duguid	Mitchell	Titus
Bullock	Evans	Mooers	Tormey
Carpenter, E. A.	Ferris	Newman	Tozier
Carpenter, I. S.	Fish	Nowlan	Treanor

Case	Fitzgerald	O'Connor	Tully
Catlin	Gibbs	Parker	Tuthill, H. H.
Chamberlain	Gillette	Peck	Tuttle, R. M.
Chase	Gorsline	Potter	Van Valkenburgh
Chickering	Gray	Potts	Waterbury
Childs	Grosse	Root	Wells, J. L.
Clark	Gwinup	Russell	Wren
Clowes	Havens	Sanders	Youngs
Cohen	Hayes	Seeley	

Those who voted in the negative, were

Crapser

Mr. Alvord moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 69 }  
{ NOES 25 }

Those who voted in the affirmative, were

Alvord	Congdon	Kennedy	Seeley
Andrews	Crapser	Lefever	Shuit
Ash	Cullinan	Lindsay	Sipp
Baker, B. F.	Curtis	Low	Sisson
Baker, C. S.	Deane	McCabe	Skinner
Beach	Douglass	Mooers	Tallmadge
Benedict, E. D.	Duell	Nowlan	Terry
Bradley	Duguid	O'Brien	Titus
Bridges	Ferris	Peck	Tozier
Brodsky	Fish	Phillips	Travis
Carpenter, E. A.	Fiske	Pitcher	Tuthill, H. H.
Carpenter, I. S.	Gillette	Potter	Van Valkenburgh
Chase	Gray	Potts	Varnum
Chickering	Hayes	Roberts	Waterbury
Childs	Howland	Root	Wells, J. L.
Clark	Husted	Russell	Weston
Clowes	Ingersoll	Sanders	Wren
Comstock			

Those who voted in the negative, were

Benedict, T. E.	Cushing	Grosse	Shanley
Bennett	Dougherty	Gwinup	Sheridan
Brennan	Ellis	Havens	Thilemann
Clancy	Evans	McAvoy	Tormey
Cohen	Fitzgerald	McTernan	Treanor
Congdon	Gibbs	Newman	Tully
Costello			

The Senate sent for concurrence the bill entitled "An act to confer power upon the common council of the city of New York to complete the restoration of Tompkins Square as a public park," which was read the first time, and by unanimous consent was also read the second time.

Mr. Alvord moved to substitute said bill for Assembly bill on same subject.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Alvord, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 103 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Costello	Lefever	Shuit
Andrews	Cullinan	Liddle	Sipp
Ash	Curtis	Lindsay	Sisson
Baker, B. F.	Cushing	Low	Skinner
Baker, C. S.	Davis	McAvoy	Slingerland
Beach	Deane	McCabe	Tallmadge
Beates	Dougherty	McTernan	Terry
Benedict, T. E.	Douglass	Mead	Thilemann
Bennett	Duell	Mitchell	Titus
Bradley	Duguid	Mooers	Tormey
Brennan	Ellis	Newman	Tozier
Bridges	Evans	Nowlan	Travis
Brodsky	Ferris	O'Connor	Treanor
Bullock	Fish	Parker	Tully
Carpenter, E. A.	Fitzgerald	Peck	Tuthill, H. H.
Carpenter, I. S.	Gibbs	Phillips	Tuttle, R. M.
Case	Gillette	Pitcher	Van Valkenburgh
Catlin	Gorsline	Potter	Varnum
Chamberlain	Gray	Potts	Walsh
Chase	Grosse	Roberts	Waterbury
Childs	Gwinup	Root	Wells, J. L.
Clark	Hayes	Russell	Weston
Clowes	Howland	Seeley	Wiley
Cohen	Hurd	Shanley	Wren
Congdon	Ingersoll	Sheridan	Youngs
Cookinham	Kennedy	Sherman	

Those who voted in the negative, were

Crapeer

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Van Valkenburgh, from the committee on banks, to which was referred the bill introduced by Mr. Alvord (introductory No. 828), entitled "An act to amend chapter 371 of Laws of 1875, entitled 'An act to conform the charters of all savings banks or institutions for savings to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for their supervision and for the administration of their affairs,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Alvord, and by unanimous consent, said bill was referred to the sub-committee of the whole.

By unanimous consent,

Mr. Van Valkenburgh, from the committee on banks, to which was

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referred the Senate bill (introductory No. 76), entitled "An act to enforce the assessment of shareholders in banking associations to make good a deficit in capital," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Van Valkenburgh, from the committee on banks, to which was referred the Senate bill (introductory No. 77), entitled "An act in relation to the deposit of stocks in the Bank Department," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend chapter 379 of the Laws of 1879, entitled 'An act prescribing the officers and employees that may be elected, appointed, or employed by the Senate and Assembly, fixing the salary and compensation thereof, and regulating the proceedings of investigating committees, and providing for the payment of the expenses thereof.'"

By unanimous consent,

Mr. Tozier offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 388, entitled "An act to amend an act to provide for the incorporation and regulation of telegraph companies," be referred back to the committee on general laws, retaining its place on general orders.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Skinner moved that all petitions in reference to the bill relative to the discrimination of freight be referred to the committee on railroads.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Privileges of the floor were granted to Hon. Chester Ray.

Mr. Speaker announced the special order of the day being Assembly bill entitled "An act in relation to the government of the city of Brooklyn."

The House then resolved itself into a committee of the whole on the bill entitled as follows:

"An act in relation to the government of the city of Brooklyn."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Travis, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Russell moved that the committee of the whole be discharged from the further consideration of said bill, and that it be engrossed and ordered to a third reading.

Mr. Russell moved the previous question.

Mr. Speaker put the question "Shall the main question now be put?" and it was determined in the affirmative.

{ AYES 75 }  
{ NOES 23 }

Those who voted in the affirmative, were

Alvord  
Andrews

Crapser  
Cullinan

Kennedy  
Lefever

Shuit  
Sipp

Baker, B. F.	Curtis	Liddle	Sisson
Baker, C. S.	Davis	Lindsay	Skinner
Beach	Deane	McCabe	Slingerland
Bradley	Douglass	Mitchell	Tallmadge
Brennan	Duell	Mooers	Terry
Bridges	Evans	Nowlan	Titus
Brodsky	Ferris	Peck	Tozier
Bullock	Fish	Phillips	Travis
Carpenter, E. A.	Fiske	Pitcher	Tuthill, H. H.
Carpenter, I. S.	Gillette	Potter	Tuttle, R. M.
Case	Gray	Potts	Varnum
Chamberlain	Griggs	Roberts	Waterbury
Chickering	Grosse	Root	Wells, J. L.
Clowes	Hayes	Russell	Weston
Comstock	Howland	Sanders	Wren
Congdon	Husted	Seeley	Youngs
Cookinham	Ingersoll	Sheridan	

Those who voted in the negative, were

Benedict, E. D.	Costello	McAvoy	Shanley
Benedict, T. E.	Dougherty	McCarthy	Thilemann
Bennett	Ellis	McTernan	Tormey
Catlin	Fitzgerald	Mead	Tully
Clancy	Gibbs	Newman	Wiley
Cohen	Havens	Parker	

Mr. Speaker then put the question whether the House would agree to order said bill engrossed and to a third reading, and it was determined in the affirmative.

By unanimous consent,

Mr. Alvord introduced a bill entitled "An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

By unanimous consent,

Mr. Skinner introduced a bill entitled "An act to authorize the water commissioners of the city of Watertown to borrow money for more fully supplying said city with water, and to issue bonds founded upon the credit of said city for the payment of such loan," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. C. S. Baker offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 304, entitled "An act in relation to leases by railroad corporations," be made the special order for Tuesday next, immediately after reading the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Tozier introduced a bill entitled "An act to prevent the abatement of actions and to provide for the survival of claims and rights of actions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Husted, and by unanimous consent, the Senate bill entitled "An act to amend chapter 497 of the Laws of 1874, en-

titled 'An act to amend the charter of the city of Poughkeepsie and to consolidate with it other acts relating to said city,' was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Curtis	Liddle	Sisson
Andrews	Cushing	Lindsay	Skinner
Baker, B. F.	Davis	Low	Slingerland
Baker, C. S.	Deane	McCabe	Tallmadge
Beach	Douglass	Mead	Terry
Bennett	Duell	Mitchell	Thilemann
Bradley	Duguid	Nowlan	Titus
Brennan	Evans	Peck	Tormey
Bridges	Ferris	Phillips	Tozier
Brodsky	Fish	Pitcher	Travis
Bullock	Fiske	Potter	Tully
Carpenter, E. A.	Fitzgerald	Potts	Tuthill, H. H.
Carpenter, I. S.	Gray	Root	Tuttle, R. M.
Chamberlain	Grosce	Russell	Van Valkenburgh
Chickering	Gwinup	Sanders	Varnum
Clowes	Hayes	Seeley	Warner
Comstock	Howland	Shanley	Waterbury
Congdon	Husted	Sheridan	Wells, J. L.
Cookinham	Ingersoll	Sherman	Weston
Crapser	Kennedy	Shuit	Wren
Cullinan	Lefever	Sipp	Youngs

Those who voted in the negative, were

Cohen                      Gibbs

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence the bills entitled as follows:

"An act to amend chapter 469 of the Laws of 1873, entitled 'An act relative to the purchasers of the franchises and property of corporations whose franchises and property shall have been sold by mortgage,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to protect the rights of citizens of this State owning and holding claims against other States," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to extend the time for the construction and completion of the Penn Yan and New York Railway," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to legalize the official acts of certain justices of the peace, and authorizing justices of the peace to execute and file official bonds," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 611 of the Laws of 1875, entitled 'An

act to provide for the organization and regulation of certain business corporations,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

A message was received from the Senate as follows :

IN SENATE, *March 16, 1880.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill entitled "An act further to amend chapter 147 of the Laws of 1876, entitled 'An act granting to the United States the right to acquire the right of way necessary for the improvement of the Harlem river and Spuyten Duyvil creek from the North river to the East river, through the Harlem Kills and ceding jurisdiction on the same,' as amended by chapter 345 of the Laws of 1879."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Forster, and by unanimous consent, the same was amended as follows :

Section 8, line 1, after "*Comptroller*" strike out the words " and from the proceeds of said bonds in case any have been issued pursuant to the provisions of the last section."

And as amended passed, re-engrossed, and ordered to be sent to the Assembly for concurrence. By order,

JOHN W. VROOMAN, *Clerk.*

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members present voting in favor thereof.

{ AYES 97 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapsier	Ingersoll	Sherman
Andrews	Cullinan	Kennedy	Shuit
Baker, B. F.	Curtis	Lefever	Sipp
Baker, C. S.	Cushing	Liddle	Sisson
Beach	Davis	Low	Skinner
Beates	Deane	McAvoy	Slingerland
Benedict, E. D.	Dougherty	Mead	Tallmadge
Benedict, T. E.	Duell	Mitchell	Terry
Bradley	Duguid	Moors	Titus
Brennan	Ellis	Newman	Tozier
Bridges	Evans	Nowlan	Travis
Brodsaky	Ferris	O'Connor	Treanor
Carpenter, E. A.	Fish	Parker	Tully
Carpenter, I. S.	Fiske	Peck	Tuthill, H. H.
Case	Fitzgerald	Phillips	Tuttle, R. M.
Catlin	Gorsline	Pitcher	Van Valkenburgh
Chamberlain	Griggs	Potter	Walsh
Chase	Grosse	Potts	Warner
Chickering	Gwinup	Roberts	Waterbury
Clark	Havens	Root	Wells, J. L.
Clowes	Hayes	Russell	Weston
Cohen	Howland	Sanders	Wiley
Comstock	Hurd	Shanley	Youngs
Congdon	Husted	Sheridan	Mr. Speaker
Cookinham			

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, two thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 98 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Kennedy	Shuit
Andrews	Crapser	Lefever	Sipp
Baker, B. F.	Cullinan	Liddle	Sisson
Baker, C. S.	Curtis	Low	Skinner
Beach	Davis	McAvoy	Tallmadge
Beates	Deane	McTernan	Terry
Benedict, E. D.	Dougherty	Mead	Thilemann
Bennett	Douglass	Mitchell	Titus
Bradley	Duell	Moors	Tormey
Brennan	Duguid	Newman	Tozier
Bridges	Ellis	Nowlan	Travis
Brodsky	Evans	Parker	Treanor
Bullock	Ferrie	Peck	Tully
Carpenter, E. A.	Fiske	Phillips	Tuthill, H. H.
Carpenter, I. S.	Fitzgerald	Pitcher	Tuttle, R. M.
Case	Gibbs	Potts	Varnum
Catlin	Gray	Rhodes	Walsh
Chamberlain	Griggs	Roberts	Warner
Chase	Grosse	Root	Waterbury
Chickering	Gwinup	Russell	Wells, J. L.
Childs	Hayes	Sanders	Weston
Clark	Howland	Seeley	Wiley
Clowes	Hurd	Shanley	Wren
Cohen	Husted	Sherman	Yongs
Congdon	Ingersoll		

*Ordered,* That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendment.

Mr. Speaker announced that the Hon. Thomas Liddle would take the place on all standing committees of the House to which the Hon. Joseph Hynes was assigned to.

By unanimous consent,

Mr. Fiske introduced a bill entitled "An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

On motion of Mr. Mitchell, and by unanimous consent, the Senate bill entitled "An act relative to lands under water in front of lands devised by James Morris, deceased," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Kennedy	Sheridan
Andrews	Cookinham	Lefever	Shuit

Baker, B. F.	Crapser	Liddle	Sisson
Baker, C. S.	Cullinan	Low	Skinner
Beach	Curtis	McCabe	Slingerland
Beates	Cushing	McTernan	Tallmadge
Benedict, E. D.	Davis	Mead	Terry
Bennett	Deane	Mitchell	Titus
Bradley	Douglass	Mooers	Tozier
Bridges	Duell	Newman	Treanor
Brodsky	Duguid	Nowlan	Tully
Bullock	Ellis	Parker	Tuthill, H. H.
Carpenter, E. A.	Evans	Peck	Tuttle, R. M.
Carpenter, I. S.	Ferris	Phillips	Van Valkenburgh
Case	Fish	Pitcher	Varnum
Catlin	Fiske	Potts	Waterbury
Chamberlain	Fitzgerald	Roberts	Wells, J. L.
Chase	Gray	Root	Weston
Chickering	Griggs	Russell	Wiley
Childs	Hayes	Sanders	Wren
Clark	Howland	Seeley	Yonggs
Clowes	Husted	Shanley	Mr. Speaker
Comstock	Ingersoll	Sipp	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The hour of 2 having arrived the House adjourned.

## THURSDAY MORNING, MARCH 18, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Harrison, Troy.

The journal of yesterday was read and approved.

Mr. Bullock introduced a bill entitled "An act to provide for the protection of mechanics and others," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Roberts introduced a bill entitled "An act to incorporate the Supreme Council of Royal Templars of Temperance and to provide for the organization of select councils and a grand council for the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. J. L. Wells introduced a bill entitled "An act to provide for the proper drainage of lands in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill entitled "An act to provide for the redemption of lands sold for unpaid taxes, in the 23d and 24th wards of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Terpeny introduced a bill entitled "An act in relation to the opening of 128th street, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill entitled "An act in relation to the opening of 126th and 127th streets in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Evans introduced a bill entitled "An act to provide additional means to enforce the payment of costs," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Clowes introduced a bill entitled "An act to amend chapter 326 of the Laws of 1874, entitled 'An act to provide for improvements in and adjoining the first ward of Long Island City,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. McCarthy introduced a bill entitled "An act to incorporate the Ladies' Deborah Nursery and Child's Protectory in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Tozier, from the committee on general laws, to which was referred the bill introduced by Mr. Sharpe (introductory No. 188), entitled "An act to protect tax payers against frauds and embezzlements by their officers and agents," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Tozier, from the committee on general laws, to which was referred the bill introduced by Mr. Cookinham (introductory No. 185), entitled "An act to amend section 9, chapter 11, article 1, title 2, part 1 of the Revised Statutes," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Hurd, from the committee on canals, to which was referred the Senate bill (introductory No. 68), entitled "An act authorizing the constructing of a bridge over the Erie canal at Kent street, in the village of Palmyra," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Hurd, from the committee on canals, to which was referred the Senate bill (introductory No. 201), entitled "An act appropriating money to pay certain awards made by the Canal Appraisers, and the interest thereon, and to pay counsel and witnesses employed and subpoenaed in behalf of the State," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Cullinan (introductory No. 604), entitled "An act to authorize the sale of subdivision No. 15 of block No. 27 in the third ward, and a part of subdivision 18 of block No. 148 in the sixth ward of the city of Oswego," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Hayes (introductory No. 792), entitled "An act for the relief of Lyman Tiffany," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Cookinham (introductory No. 112), entitled "An act to establish a police and fire commission and official board in the city of Rome, and to amend and change in certain respects an act passed February 23, 1870, entitled 'An act to incorporate the city of Rome,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Gibbs (introductory No. 794), entitled "An act to amend section 15 of chapter 579 of the Laws of 1853, entitled 'An act to simplify the manner of collecting arrears of taxes, assessment and regular rents of Catoon water in the city of New York,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. C. S. Baker, from the committee on insurance, to which was referred the bill introduced by Mr. C. S. Baker (introductory No. 840), entitled "An act to amend chapter 902 of the Laws of 1869, in relation to securities deposited by life insurance companies with the Superintendent of Insurance," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. C. S. Baker, from the committee on insurance, to which was recommitted the bill introduced by Mr. C. S. Baker (introductory No. 673), entitled "An act for the better security of the bonds of public officers and others," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. C. S. Baker, from the committee on insurance, to which was referred the bill introduced by Mr. C. S. Baker (introductory No. 185), entitled "An act to amend an act to confer additional powers upon the metropolitan police relating to the inspection of steam boilers," etc., reported in favor of the passage of the same with amendments, and the title amended so as to read as follows: "An act in relation to companies insuring steam boilers," which report was agreed to and said bill committed to the committee of the whole.

Mr. C. S. Baker, from the committee on insurance, to which was referred the bill introduced by Mr. Russell (introductory No. 677), entitled "An act to amend an act entitled 'An act to amend and reduce to one act the several acts relating to buildings and the keeping and storage of combustible materials in the city of New York,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Weston, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Clowes (introductory No. 474), entitled "An act to amend chapter 410 of Laws of 1878, entitled 'An act to improve Flushing avenue in Long Island City,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Weston, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Howland (introductory No. 353), entitled "An act to extend the corporate extension of the Jordan



and Skaneateles Plankroad Company," reported adversely thereto, which report was agreed to.

Mr. Weston, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Curtis (introductory No. 639), entitled "An act to amend an act entitled 'An act to authorize the construction and maintaining of a free bridge over the Susquehanna river at Afton, Chemung county,'" reported said bill for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

Mr. Weston, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Sharpe (introductory No. 747), entitled "An act to fix and regulate the rates of toll on the Overlook Turnpike Company in the counties of Ulster and Greene," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Weston, from the committee on roads and bridges, to which was referred the Senate bill (introductory No. 102), entitled "An act to amend chapter 524 of the Laws of 1853, entitled 'An act to amend an act entitled 'An act to incorporate the Montezuma Turnpike and Bridge Company,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Bullock, from the committee on public health, to which was referred the bill introduced Mr. Wren (introductory No. 480), entitled "An act to amend chapter 633 of the Laws of 1875, entitled 'An act to amend the charter of the city of Brooklyn,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Peck, from the committee on petitions of aliens, to which was referred the bill introduced by Mr. Wiley (introductory No. 716), entitled "An act for relief of the widow of Samuel Gray of the city of Albany," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Duguid, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Lefever (introductory No. 739), entitled "An act to amend section 1 of chapter 59 of the Laws of 1861, entitled 'An act to amend the charter of the Poughkeepsie and New Paltz Ferry Company,' passed March 19, 1861," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Duguid, from the committee on commerce and navigation, to which was referred the Senate bill (introductory No. 69), entitled "An act to amend chapter 461 of the Laws of 1877, entitled 'An act to confer the powers of harbor masters on the police patrolmen detailed to certain docks and piers in said city by the board of commissioners of police and excise of the city of Brooklyn,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Alvord moved that the two following bills be considered in the committee of the whole, having in consideration the special order of the day.

"An act granting the consent of the State of New York to the purchase by the United States of certain lands, pond and rights for

the purpose of increasing the water supply of West Point, New York, and ceding jurisdiction over said lands and pond."

"An act relinquishing title and jurisdiction to the United States over certain land covered with water in the harbor of New York at Governor's, Bedloe's, Ellis' and David's Islands, and Forts Lafayette, Hamilton, Wadsworth and Schuyler."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Tozier offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee on general laws be discharged from the further consideration of Senate bill No. 173, entitled "An act to amend chapter 611 of the Laws of 1875, entitled 'An act to provide for the organization and regulation of certain business corporations,'" and that the same be substituted for Assembly bill No. 409, now on general orders.

Mr. Speaker put the question whether the House would agree to said resolution and it was determined in the affirmative.

By unanimous consent,

Mr. Tully offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee of the whole be discharged from the further consideration of Assembly bill No. 170, general orders No. 181, entitled "An act in relation to the regrading and paving of Grand street from Union avenue to Bushwick avenue, in the city of Brooklyn," and that the same be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Brennan, from the committee on militia, to which was referred the bill introduced by Mr. Hoffman (introductory No. 191), entitled "An act to incorporate the National Guard Mutual Relief Association," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Brennan, from the committee on militia, to which was referred the bill introduced by Mr. Youngs (introductory No. 732), entitled "An act to provide for the honorable discharge of certain members of the National Guard," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Tuttle, from the committee on public printing, to which was referred the resolution to print extra copies of the report of the Superintendent of Public Instruction, reported in favor of the adoption of the following resolution:

*Resolved* (if the Senate concur), That 2,500 copies of the report of the Superintendent of Public Instruction be printed and bound in cloth for distribution by that officer.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Tuttle, from the committee on public printing, to which was referred the Senate resolution to print extra copies of the Thirteenth Annual Report of the State Board of Charities, reported in favor of concurrence in the adoption of the following resolution:

*Resolved* (if the Assembly concur), That there be printed 1,000 copies of the Thirteenth Annual Report of the State Board of Charities, in paper covers, and 500 copies bound in muslin, for the use of the Board.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Tuttle, from the committee on public printing, to which was referred the resolution to print extra copies of the Report of the Superintendent of Public Works, reported in favor of the adoption of the following resolution:

*Resolved* (if the Senate concur), That 1,200 copies of the last annual report of the Superintendent of Public Works be printed, 500 for the use of the Legislature, and 700 for the Superintendent of Public Works; 500 to be bound in cloth, and the balance in paper.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Tuttle, from the committee on public printing, to which was referred the resolution to print extra copies of the Report of the Secretary of State on Criminal Statistics and Report on Pauperism, reported in favor of the adoption of the following resolution:

*Resolved* (if the Senate concur), That there be printed for the use of the Secretary of State, in making exchange, 500 copies of the report of the Secretary of State on Criminal Statistics for the year 1879, and 500 copies of the report of the Secretary of State on the Statistics of Pauperism for the year 1879.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Tuttle, from the committee on public printing, to which was referred the resolution to print extra copies of the Annual Report of the Trustees of the State Library, reported in favor of concurrence in the adoption of the following resolution:

*Resolved* (if the Assembly concur), That there be printed 1,000 extra copies of the Annual Report of the Trustees of the State Library, on fine paper, for the use of the trustees, of which 500 copies shall be bound in cloth, and 500 copies in paper covers.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Tuttle, from the committee on public printing, to which was referred the resolution to print extra copies of the Report of the State Engineer and Surveyor, transmitted to the Speaker, etc., reported in favor of the adoption of the following resolution:

*Resolved* (if the Senate concur), That 1,000 copies of the report of the State Engineer and Surveyor, transmitted to the Speaker of the Assembly, be printed for the use of the State Engineer and Surveyor, and that 1,500 copies be printed for the use of the Legislature.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Tuttle, from the committee on public printing, to which was referred the Senate resolution to print extra copies of the Annual Report of the New York State Soldiers and Sailors' Home, reported in favor of concurrence in the adoption of the following resolution:

*Resolved* (if the Assembly concur), That 1,500 extra copies of the Annual Report of the New York State Soldiers and Sailors' Home be printed for the use of the trustees, with paper covers.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

{ AYES 68 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Douglass	McAvoy	Shuit,
Andrews	Duell	McCarthy	Sipp
Baker, B. F.	Ferris	Miller	Sisson
Baker, C. S.	Fiske	Mitchell	Tallmadge
Beach	Gillette	Mooers	Terpeny
Beates	Gray	Morgan	Titus
Bradley	Grosse	Nowlan	Tormey
Bridges	Hayes	Peck	Tozier
Brodsky	Hoffman	Pitcher	Travis
Bullock	Howland	Potts	Tuthill, H. H.
Case	Hurd	Roberts	Tuttle, R. M.
Childs	Husted	Root	Varnum
Clark	Ingersoll	Russell	Warner
Clowes	Lefever	Sanders	Waterbury
Cornstock	Liddle	Seeley	Wells, J. L.
Cookinham	Lindsay	Sheridan	Weston
Deane	Low	Sherman	Youngs

Those who voted in the negative, were

Benedict, T. E.

*Ordered*, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Tuttle, from the committee on public printing, to which was referred the resolution to print extra copies of the Annual Report of the Homœopathic Medical Society of the State, reported in favor of the adoption of the following resolution:

*Resolved* (if the Senate concur), That 500 copies of the Annual Report of the Homœopathic Medical Society of the State of New York for the year 1880, be printed for the use of said Society.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

{ AYES 78 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	Ingersoll	Root
Andrews	Davis	Kennedy	Russell
Ash	Dougherty	Lefever	Seeley
Baker, B. F.	Douglass	Liddle	Sherman
Baker, C. S.	Duell	Low	Shuit
Beach	Duguid	McAvoy	Sipp
Beates	Ellis	McCabe	Sisson
Benedict, E. D.	Ferris	McCarthy	Steele
Benedict, T. E.	Fish	McTernan	Tallmadge
Bradley	Fiske	Miller	Titus
Brennan	Fitzgerald	Mitchell	Tozier
Bridges	Gibbs	Mooers	Travis
Brodsky	Gillette	Newman	Tully
Bullock	Gorsline	Parker	Tuttle, R. M.
Carpenter, I. S.	Griggs	Peck	Varnum
Chase	Grosse	Pitcher	Waterbury
Clark	Hayes	Potter	Wells, J. L.
Congdon	Hoffman	Potts	Weston
Cookinham	Howland	Roberts	Youngs
Curtis	Husted		

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Tuttle, from the committee on public printing, to which was referred the resolution to print extra copies of the Report of the State Engineer and Surveyor on Railroads, reported in favor of the adoption of the following resolution :

*Resolved* (if the Senate concur), That there be printed and bound in cloth 2,400 copies of the Report of the State Engineer and Surveyor on Railroads, for the year ending September 30, 1879, to be distributed by that officer according to law ; also, ten copies of said report for each Senator and Member of the present Legislature ; also, one copy of said report to each officer and reporter of the present Legislature, the whole expense thereof to be refunded to the treasury of the State by an equitable assessment by the Comptroller upon the several railroad companies of this State, the price of printing the same to be agreed upon between the State Engineer, the Comptroller and the legislative printer.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

{ AYES 77 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Gwinup	Roberts
Andrews	Cookinham	Hayes	Root
Ash	Curtis	Hoffman	Sanders
Baker, B. F.	Davis	Husted	Seeley
Baker, C. S.	Deane	Kennedy	Shuit
Beach	Dougherty	Lefever	Sipp
Beates	Douglass	Liddle	Sisson
Benedict, E. D.	Duell	Lindsay	Skinner
Bradley	Duguid	Low	Slingerland
Brennan	Ellis	McAvoy	Steele

Bridges	Ferris	Mead	Terpeny
Brodsky	Fish	Miller	Titus
Bullock	Fiske	Mitchell	Tozier
Carpenter, E. A.	Fitzgerald	Mooers	Tully
Carpenter, I. S.	Gibbs	Newman	Tuttle, R. M.
Catlin	Gorsline	Nowlan	Varnum
Chickering	Gray	Parker	Wells, J. L.
Clark	Griggs	Pitcher	Weston
Clowes	Grosse	Potts	Youngs
Comstock			

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Tuttle, from the committee on public printing, to which was referred the resolution to print extra copies of the Report of the Adirondack Survey, reported in favor of the adoption of the following resolution :

*Resolved* (if the Senate concur), That there be printed and bound in cloth, ten copies of the last printed of Colvin's Survey of the Adirondacks, for the use of each Senator and Member of the Assembly, of the Legislature of 1880, and two copies for each of the officers and reporters of the present Legislature.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

{ AYES 88 }  
{ NOES 5 }

Those who voted in the affirmative, were

Alvord	Cushing	Hurd	Shanley
Andrews	Davis	Lefever	Sheridan
Ash	Deane	Liddle	Sherman
Baker, B. F.	Dougherty	Lindsay	Shuit
Baker, C. S.	Douglass	Low	Sipp
Beach	Duell	McAvoy	Sisson
Beates	Duguid	McCabe	Slingerland
Benedict, E. D.	Evans	McCarthy	Steele
Bradley	Ferris	McTernan	Strait
Brennan	Fish	Miller	Tallmadge
Brodsky	Fiske	Mitchell	Terpeny
Bullock	Fitzgerald	Mooers	Titus
Carpenter, E. A.	Gibbs	Morgan	Tozier
Carpenter, I. S.	Gillette	Newman	Travis
Catlin	Gray	Peck	Tuthill, H. H.
Chamberlain	Griggs	Phillips	Varnum
Chickering	Grosse	Pitcher	Walsh
Clark	Gwinup	Potts	Warner
Clowes	Hagan	Roberts	Weston
Comstock	Hayes	Root	Wren
Congdon	Hoffman	Russell	Youngs
Cookinham	Howland	Seeley	Mr. Speaker

Those who voted in the negative, were

Benedict, T. E.	Crapsier	Skinner	Tuttle, R. M.
Bridges			

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate sent for concurrence the bills entitled as follows :

"An act concerning the grounds, buildings and property of the State, provided for normal schools, the custody, protection and preser-

vation of the same, and the powers of local boards in relation thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

"An act to incorporate the Grand Council of Royal Templars of Temperance of the State of New York, and to provide for the organization of select councils," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to amend chapter 267 of the Laws of 1875, entitled 'An act for the incorporation of societies or clubs for certain lawful purposes,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act supplementary to chapter 368 of the Laws of 1865, entitled 'An act for the incorporation of societies or clubs for certain social and recreative purposes,' " which was read the first time, and by unanimous consent was also read the second time and referred to the committee on charitable and religious societies.

"An act to simplify the proof of the Sanitary Code in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to amend chapter 873 of the Laws of 1866, entitled 'An act to amend and reduce to one act the several acts relating to buildings and the keeping and storage of combustible materials in the city of New York,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to prevent public exhibitions of women as pedestrians," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Weston offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That this Legislature adjourn *sine die*, on Saturday the first day of May, 1880, at 12 o'clock M. of that day.

Said resolution giving rise to debate,

*Ordered*, That the same be laid upon the table.

Mr. Titus made a report of the sub-committee of the whole; which was laid on the table and ordered printed.

(See Doc. No. 92.)

Mr. Husted, from the committee on ways and means, to which was recommitted the bill introduced by the ways and means committee (introductory No. 763), entitled "An act making appropriations for certain expenses of government, and supplying deficiencies in former appropriations," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Husted moved that said bill be made a special order on Monday evening immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act in relation to the government of the city of Brooklyn."

Mr. Hurd offered for the consideration of the House a resolution in the words following:

*Resolved*, That the State Engineer and Surveyor be, and he is hereby directed to report to this House, within ten days, which, if any, of the feeders of the abandoned Genesee Valley canal should be retained as feeders for the Erie canal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Hurd offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That 2,500 copies of the last annual report of the State Engineer and Surveyor on Canals be printed for the use of the Legislature and the Engineer's Department, 500 to be bound in cloth, the balance in paper.

*Ordered*, That said resolution be referred to the committee on public printing.

Mr. Grosse offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 111, entitled "An act to improve the public health in the city of New York and the city of Brooklyn, by regulating the manufacture of cigars in the tenement houses of said cities," be referred to the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Speaker announced the special order of the day being the bills entitled as follows:

"An act to revise and consolidate the general acts relating to the relief and support of indigent persons."

"An act relinquishing title and jurisdiction to the United States over certain land covered with water in the harbor of New York at Governor's, Bedloe's, Ellis' and David's Islands, and Forts Lafayette, Hamilton, Wadsworth and Schuyler."

"An act granting the consent of the State of New York to the purchase by the United States of certain lands, pond and rights for the purpose of increasing the water supply of West Point, New York, and ceding jurisdiction over said lands and pond."

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act granting the consent of the State of New York to the purchase by the United States of certain lands, pond and rights for the purpose of increasing the water supply of West Point, New York, and ceding jurisdiction over said lands and pond."

"An act to revise and consolidate the general acts relating to the relief and support of indigent persons."

"An act relinquishing title and jurisdiction to the United States over certain land covered with water in the harbor of New York at Governor's, Bedloe's, Ellis' and David's Islands, and Forts Lafayette, Hamilton, Wadsworth and Schuyler."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Cookinham, from said committee, reported in favor of the



passage of the first named bill, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Cookinham, from said committee, also reported progress on the second and last named bills, and asked and obtained leave to sit again.

Mr. Griggs moved that the committee of the whole be discharged from the further consideration of the second named bill, and that the same be engrossed for a third reading, with the amendments adopted in the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Griggs moved that said bill be recommitted to the committee on general laws, for amendments, and as amended printed, retaining its place on order of third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Varnum moved that the committee of the whole be discharged from the further consideration of the last named bill, and that the same be ordered engrossed for a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Evans offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 215, entitled "An act in relation to the county treasurers in the counties of Monroe and Seneca," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Duell offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee of the whole be discharged from the further consideration of Assembly bills No. 413, general orders No. 451, entitled "An act relating to referees, receivers, auditors and other officers appointed by the court, within the counties of New York and Kings," and No. 414, general orders No. 452, entitled "An act to provide for the publication of the names of referees, receivers, auditors and other officers of courts in the city and county of New York," and that they be sent to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate sent for concurrence the bill entitled "An act to authorize the Ogdensburg and Lake Champlain Railroad Company to issue bonds and to execute a mortgage to raise funds to provide for the retirement of its preferred stock and other purposes," which was read the first time, and by unanimous consent was also read the second time.

Mr. Peck moved to substitute said bill for Assembly bill No. 287 on same subject.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Peck, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Crapser	Low	Shuit
Andrews	Cullinan	McAvoy	Sipp
Ash	Davis	McCabe	Sisson
Baker, B. F.	Deane	McCarthy	Skinner
Baker, C. S.	Dougherty	McTernan	Slingerland
Beach	Douglass	Miller	Steele
Beates	Duguid	Mitchell	Tallmadge
Bradley	Ellis	Mooers	Terry
Brennan	Evans	Morgan	Thilemann
Bridges	Fish	Nowlan	Tozier
Brodsky	Fiske	Parker	Travis
Bullock	Griggs	Peck	Tuthill, H. H.
Carpenter, E. A.	Grosse	Phillips	Tuttle, R. M.
Carpenter, I. S.	Howland	Pitcher	Varnum
Catlin	Hurd	Potts	Waterbury
Chamberlain	Husted	Roberts	Wells, D. A.
Childs	Ingersoll	Root	Wells, J. L.
Clowes	Kennedy	Russell	Weston
Congdon	Lefever	Shanley	Wren
Cookinham	Liddle		

Those who voted in the negative, were

Walsh

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Messrs. Alvord, Childs, C. S. Baker, Griggs, Bullock, Duguid, Ferris, Evans and Sharpe presented petitions against the passage of Assembly bill No. 22, entitled "An act to regulate the transportation of freight by railroad; which were read and referred to the committee on railroads.

Messrs. Steele, Case, Duguid, T. E. Benedict, Congdon, Waterbury, Childs, Crapser, Baker and Sisson presented petitions in favor of the bill entitled "An act to regulate the transportation of freight by railroads;" which were read and referred to the committee on railroads.

Mr. Waterbury presented a petition against the repeal of the excise laws; which was read and referred to the committee on internal affairs.

Messrs. Congdon and Lefever presented petitions in favor of a constitutional amendment prohibiting the manufacture and sale of intoxicating liquors; which were read and referred to the committee on internal affairs.

Messrs. Varnum, Van Valkenburgh and Warner presented petitions in favor of establishing separate institutions for the detention and reformation of convicted women; which were read and referred to the committee on State prisons.

Mr. Waterbury presented a petition in relation to the temporary relief of the poor of the town of Goshen, Orange county; which was read and referred to the committee on internal affairs.

Mr. Beates presented a petition asking that the charter of the Delhi and Middletown Turnpike Company be annulled; which was read and referred to the committee on roads and bridges.

Mr. Varnum presented a petition of the New York Bible and Tract

Mission for an appropriation of five thousand dollars; which was read and referred to the committee on ways and means.

Mr. Hayes presented a petition of the officers of the Fifth New York Veteran Volunteers Association, for the restoration to them of the colors of their regiment carried by them in the late war; which was read and referred to the committee on the militia.

Mr. Weston presented a petition asking that the school year begin August 1, instead of October 1; which was read and referred to the committee on public education.

Mr. Crapser presented a petition asking an appropriation to improve the east and west branches of the St. Regis river; which was read and referred to the committee on ways and means.

Mr. Gwinup presented a petition for passage of a bill to investigate the management of insane asylums; which was read and referred to the committee on State charitable institutions.

Mr. Havens presented a petition for reduction of tolls on foreign salt; which was read and referred to the committee on canals.

A message from the Senate was received and read informing of concurrence in the passage of the bills entitled as follows:

"An act to further amend chapter 143 of the Laws of 1861, entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester, and to consolidate therewith the several acts in relation to the charter of said city, as amended by chapter 14, Laws of 1880.'"

"An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction.'"

"An act to amend section 1 of chapter 212 of the Laws of 1879, entitled 'An act to provide for the distribution of the acts passed by the Legislature to town clerks' offices.'"

"An act to exempt the town of Guilford, Chenango county, from the provisions and operations of chapter 175 of the Laws of 1870, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties.'"

"An act to amend section 1, title 4, chapter 17, part 1 of the Revised Statutes, relating to the licensing of hawkers and peddlers."

*Ordered,* That the Clerk deliver said bills to the Governor.

Mr. C. S. Baker offered for the consideration of the House a resolution in the words following:

*Resolved,* That Assembly bill entitled "An act to amend chapter 259 of the Laws of 1848, entitled 'An act to provide for the incorporation of bridge companies,' passed April 11, 1848," and the bill entitled "An act to authorize the Knickerbocker Casualty Insurance Company to increase its capital stock," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The hour of 2 having arrived the House adjourned.

## FRIDAY MORNING, MARCH 19, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Campbell.

The journal of yesterday was read and approved.

A message from the Senate was received and read, informing of concurrence in the amendments of the Assembly to the bill entitled as follows:

"An act to amend chapter 497 of the Laws of 1874, entitled 'An act to amend the charter of the city of Poughkeepsie and to consolidate with it other acts relating to said city.'"

*Ordered*, That the Clerk return said bill to the Senate.

The Senate returned Assembly bill entitled "An act to regulate the rate of fare to be charged and collected by persons or corporation operating elevated railroads in the city of New York," with a message that they have stricken out the enacting clause and rejected the bill.

Mr. Bradley offered for the consideration of the House a resolution in the words following:

*Resolved*, That when this House adjourns, to-day, it will adjourn to meet on Monday evening, at 8 o'clock.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

{ AYES 57 }  
{ NOES 22 }

Those who voted in the affirmative, were

Ash	Cullinan	Lefever	Roberts
Baker, C. S.	Cushing	Lindsay	Root
Beach	Deane	McAvoy	Russell
Beates	Douglass	McCarthy	Seeley
Benedict, E. D.	Duguid	McTernan	Sheridan
Bradley	Evans	Mitchell	Sherman
Brennan	Ferris	Morgan	Steele
Bridges	Fiske	Newman	Strait
Catlin	Gibbs	O'Brien	Thilemann
Chamberlain	Gillette	O'Connor	Tully
Childs	Griggs	Peck	Varnum
Clowes	Howland	Phillips	Wells, J. L.
Congdon	Hurd	Pitcher	Wren
Cookinham	Kennedy	Potts	Mr. Speaker
Costello			

Those who voted in the negative, were

Alvord	Curtis	Low	Skinner
Broday	Davis	Mead	Terry
Bullock	Duell	Miller	Titus
Chickering	Fitzgerald	Mooers	Tozier
Comstock	Gwinup	Sisson	Tuttle, R. M.
Crapser	Ingersoll		

The Senate returned the Assembly bill entitled "An act to release all that part of the waters of Lake Ontario, together with its bays and inlets in the county of Jefferson, saving and excepting Henderson harbor and bay, from the operation of the provisions of sections 23

and 26 of chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,' with a message that they have concurred in the passage of the same, with the following amendments:

After the word "*bay*," at the end of the sixth line of section 1, in engrossed bill, insert the words "*and the shoals adjacent on the lake side from the main shore to and including Smoke Island, except during the months of November and December.*" Also, insert the following as section 2:

Sec. 2. "Any action brought or prosecuted by the district attorney of Jefferson county under the provisions of said section 26 may be discontinued by such district attorney, and neither costs or disbursements in any such action shall be recovered by any defendant therein against said county."

Make the present section 2, in the bill, section 3; and the present section 3 section 4.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Gray	Phillips
Baker, C. S.	Crapser	Griggs	Potts
Beach	Cullinan	Gwinup	Roberts
Beates	Curtis	Havens	Root
Benedict, E. D.	Cushing	Howland	Seeley
Bradley	Davis	Hurd	Sherman
Brennan	Deane	Ingersoll	Sisson
Bridges	Dougherty	Kennedy	Skinner
Brodsky	Douglas	Lindsay	Slingerland
Bullock	Duell	Low	Steele
Case	Duguid	McAvoy	Tallmadge
Catlin	Ellis	McTernan	Terpeny
Chase	Evans	Miller	Terry
Chickering	Ferris	Mitchell	Titus
Childs	Fish	Mooers	Tozier
Claney	Fiske	Morgan	Tuttle, R. M.
Clowes	Fitzgerald	Newman	Varnum
Cohen	Gibbs	Nowlan	Wells, J. L.
Comstock	Gillette	O'Brien	Wren
Congdon	Gorsline	Peck	

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

Mr. C. S. Baker offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor, requesting the return of Assembly bill No. 91, entitled "An act to provide for the improvement and care of private parks in the several cities in this State," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Bradley (per I. S. Carpenter) introduced a bill entitled "An act to permit the admission of persons not paupers into the asylums of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State charitable institutions.

Mr. O'Brien introduced a bill entitled "An act to permit the common council of the city of Buffalo in its discretion to allow or disallow in whole or in part any claim or claims, abating certain nuisances, by direction of the board of health of the city of Buffalo, in the years 1877 and 1878," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Russell introduced a bill entitled "An act amending the Code of Civil Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Mitchell introduced a bill entitled "An act to amend chapter 234 of the Laws of 1866, entitled 'An act to amend an act entitled 'An act to incorporate the German Hospital in the city of New York,' passed April 13, 1861 passed March 26, 1866,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State charitable institutions.

Mr. Comstock introduced a bill entitled "An act to amend chapter 30 of the Laws of 1880, entitled 'An act to amend chapter 598 of the Laws of 1870, entitled 'An act to amend an act to incorporate the city of Troy, passed April 12, 1816,' and the several acts amendatory thereof; and also to amend other acts relating to the city of Troy, and supplementary thereto, passed February 27, 1880,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Strait introduced a bill entitled "An act in relation to the use of coal in manufacturing," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

Mr. B. F. Baker introduced a bill entitled "An act to amend chapter 381 of the Laws of 1877, entitled 'An act to amend chapter 896 of the Laws of 1869, entitled 'An act to incorporate the Crescent Company, and to extend the time within which the corporation thereby created may commence operations, passed June 2, 1877,' and to further extend the time within which the said company may commence operations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

Mr. R. M. Tuttle introduced a bill entitled "An act to amend chapter 426 of the Laws of 1847, entitled 'An act to provide for the incorporation of villages, so far as the same relates to the village of Cornell, in the county of Steuben,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Varnum introduced a bill entitled "An act to protect the rights of citizens of this State owning and holding claims against other States," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Terry introduced a bill entitled "An act amending the Code of Civil Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Mitchell introduced a bill entitled "An act in relation to the removal or suspension of attorneys and counselors at law," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Dougherty (introductory No. 66), entitled "An act to authorize and require the Secretary of State to collect and report labor statistics," reported in favor of the passage of the same with amendment, which report was agreed to and said bill committed to the committee of the whole.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. O'Connor (introductory No. 53), entitled "An act to establish a bureau of labor statistics in the State of New York," reported adversely thereto, which report was agreed to.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Brennan (introductory No. 569), entitled "An act to authorize the Comptroller to admit the unpaid taxes of the year 1879 assessed upon lands in the several counties of this State which were bid in by the State at the tax sale of 1877, and to which the State acquires title from said tax sale," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Alvord (introductory No. 800), entitled "An act to preserve the rain fall in the forests of this State by the establishment of parks, preserves and hunting grounds in the same," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Alvord (introductory No. 841), entitled "An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Husted, from the committee on ways and means, to which was referred the Senate bill (introductory No. 105), entitled "An act making an appropriation to continue the work on the new Capitol building," reported in favor of the passage of the same with amendment, which report was agreed to and said bill committed to the committee of the whole.

Mr. Husted, from the committee on ways and means, to which was referred the Senate bill (introductory No. 91), entitled "An act to change the name of and in relation to the association for befriending children," reported in favor of discharging the committee from the further consideration of the bill, and that the same be referred to the committee on affairs of cities.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Slingerland (introductory No.

517), entitled "An act to authorize the clerk of Albany county to sign and certify the record of deeds, mortgages and other record of papers recorded in the Albany county clerk's office, which were left unsigned by the former clerks of said county, and providing for his compensation therefor," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Mitchell (introductory No. 744), entitled "An act to amend an act entitled 'An act to secure better administration in the police courts of the city of New York,' passed May 17, 1873," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Congdon (introductory No. 424), entitled "An act to provide for the compensation of attorneys and counselors at law for defending, under order of the court, persons on trial on indictment for crimes," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Terry (introductory No. 743), entitled "An act in relation to evidence in criminal cases," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Titus (introductory No. 772), entitled "An act to amend chapter 824 of the Laws of 1873, entitled 'An act to amend section 19 of chapter 570 of the Laws of 1872, entitled 'An act to ascertain, by proper proofs, the citizens who shall be entitled to the right of suffrage in the State of New York, except in the city and county of New York and the city of Brooklyn, and to repeal chapter 572 of the Laws of 1871, entitled 'An act to amend an act in relation to elections in the city and county of New York,' reported said bill for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Russell (introductory No. 694), entitled "An act to authorize deeds for burial lots in rural cemeteries to be recorded in any county in which any part of said cemeteries may be located," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Alvord (introductory No. 626), entitled "An act to ascertain, by proper proofs, the citizens who shall be entitled to the right of suffrage in all towns and villages of this State whose boundary lines shall abut against the boundary line of any city having a population of over 20,000 inhabitants," reported said bill for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Roberts (introductory No. 256), entitled "An act to legalize and confirm certain proceedings of the



board of health of the city of Buffalo," reported adversely thereto, which report was agreed to.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Speaker (introductory No. 819), entitled "An act to provide for the better government and discipline of prisons and jails in the State of New York," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Russell (introductory No. 529), entitled "An act to amend an act entitled 'An act to authorize the appointment of commissioners to fix the grade and improve sidewalks and open and improve streets in the town of New Lots, Kings county,' passed April 24, 1872, and known as chapter 349, Laws of 1872," reported said bill for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Evans (introductory No. 685), entitled "An act for the relief of James Harman," reported adversely thereto, which report was agreed to.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 63), entitled "An act to secure the registration of the births of children of residents of the city of New York, occurring during the temporary absence from such city of the parents of such children, and respecting transcripts of the records," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 111), entitled "An act to protect the rights of citizens of this State owning and holding claims against other States," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 64), entitled "An act to provide for the review and correction of illegal, erroneous or unequal assessments," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 112), entitled "An act to amend chapter 469 of the Laws of 1873, entitled 'An act relative to the purchasers of the franchises and property of corporations whose franchises and property shall have been sold by mortgage,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 96), entitled "An act to amend chapter 8 of part 1 of the Revised Statutes, entitled 'Of the duties of the executive officers of the State, and of various matters connected with their respective departments,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 109), entitled "An act to legalize the official acts of certain justices of the peace, and authorizing justices of the peace to execute and file official bonds," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 78), entitled "An act to amend title 4, chapter 6, part 2 of the Revised Statutes, relating to the powers and duties of executors and administrators in relation to the sale and disposition of the real estate of their testator or intestate," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 79), entitled "An act proposing an amendment to article 6 of the Constitution," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 95), entitled "An act to amend section 13 of article 1 of title 13, chapter 18, part 1 of the Revised Statutes, entitled 'Of medical societies,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Skinner, from the committee on railroads, to which was referred the bill introduced by Mr. Tallmadge (introductory No. 667), entitled "An act to prohibit the erection, maintenance or operation of elevated railways or extensions thereof in certain streets or avenues in the city of Brooklyn and county of Kings," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Skinner (introductory No. 843), entitled "An act to authorize the water commissioners of the city of Watertown to borrow money for more fully supplying said city with water, and to issue bonds founded upon the credit of said city for the payment of such loan," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Hayes (introductory No. 732), entitled "An act for the relief of the Five Points House of Industry in the city of New York," reported said bill for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 100), entitled "An act to amend chapter 863 of the Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn and the various amendments thereof,' passed June 28, 1873," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 101), entitled "An act to

create a board of estimate for the county of Kings and the city of Brooklyn, and to prescribe the manner in which appropriations shall be made for the support of the government of said county and said city," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Tallmadge (introductory No. 588), entitled "An act to provide for the collection of arrearages of unpaid taxes and assessments in the city of Brooklyn," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. T. E. Benedict (introductory No. 834), entitled "An act to further amend the act entitled 'An act to amend chapter 65 of the Laws of 1878, relating to the collection of taxes in the counties of Livingston, Montgomery, Oswego, Ulster and Ontario, and amended by chapter 200 of the Laws of 1879,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Phillips (introductory No. 750), entitled "An act to incorporate Alert Hose Company No. 3 of the village of Medina," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Bradley (introductory No. 175), entitled "An act to amend section 4 of title 3, and section 6 of title 4 of an act for the incorporation of villages, passed April 20, 1870," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Case (introductory No. 824), entitled "An act to amend an act entitled 'An act in relation to the village of Canandaigua,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Case (introductory No. 825), entitled "An act to amend an act entitled 'An act extending the powers of trustees of the village of Canandaigua,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Steele (introductory No. 696), entitled "An act to amend chapter 639 of the Laws of 1868, entitled 'An act incorporating the village of Phoenix, in the county of Oswego,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was referred the Senate bill (introductory No. 274), entitled "An act in relation to highway labor and the construction of sidewalks in the

village of Whitney's Point," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was referred the Senate bill (introductory No. 337), entitled "An act to confirm the election of trustees in the village of Hastings-on-Hudson, in the county of Westchester, and to provide for their election hereafter," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was referred the Senate bill (introductory No. 247), entitled "An act to transfer the town of Berlin, in the county of Rensselaer, from the first to the second school commissioner district of said county, and the town of Brunswick, in said county, from the second to the first school commissioner district of said county," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Crafts (introductory No. 553), entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages so far as the same relates to the village of Wolcott, Wayne county,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Bullock, from the committee on public health, to which was referred the Senate bill (introductory No. 75), entitled "An act to establish a State board of health," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sherman, from the committee on public education, to which was referred the bill introduced by Mr. J. L. Wells (introductory No. 155), entitled "An act relative to common schools in the city of New York," reported in favor of the passage of the same (Messrs. Sherman, Potter and Hoffman dissenting), which report was agreed to and said bill committed to the committee of the whole.

Mr. Sherman, from the committee on public education, to which was referred the bill introduced by Mr. Case (introductory No. 746), entitled "An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sherman, from the committee on public education, to which was referred the bill introduced by Mr. Duguid (introductory No. 803), entitled "An act to authorize the trustees of Manlius Academy to transfer and convey to the board of education of union free school No. 6, in the town of Manlius, of the county of Onondaga," reported in favor of the passage of the same with amendment, which report was agreed to and said bill committed to the committee of the whole.

Mr. Griggs, from the select committee upon that subject, to which was recommended the bill entitled "An act to revise and consolidate the general acts relating to the relief and support of indigent persons," reported the same back to the House, and the same was ordered to a third reading.

Messrs. Douglass, Warner, Comstock, Crapser, Davis, Steele, Skinner, Curtis, Hoffman, Ellis, Tuttle, Nowlan, Morgan, Titus, Fish and Sherman presented petitions against the passage of bill No. 22, regulating railroad freights; which were read and referred to the committee on railroads.

Messrs. Douglass, Duguid, Skinner, Beates, Gillette, Congdon, Curtis, Andrews, Phillips, Husted, Morgan and Tuttle presented petitions in favor of the passage of bill No. 22, regulating railroad freights; which were read and referred to the committee on railroads.

Mr. Speaker presented a protest against the passage of the act relative to common schools, introduced by Mr. J. L. Wells; which was read and referred to the committee of the whole.

Mr. Skinner presented a petition in reference to assessment, taxation, official salaries, railroad discrimination and biennial sessions; which was read and referred to the committee on railroads.

Messrs. Slingerland, Husted and Lefever presented petitions requesting that separate institutions be provided for the detention and reformation of convicted women; which were read and referred to the committee on State prisons.

Mr. Skinner presented a petition asking for a constitutional amendment prohibiting the manufacture and sale of intoxicating liquors; which was read and referred to the committee on internal affairs.

Mr. Shanley presented a petition for increased ferry accommodation on South Ferry, Brooklyn; which was read and referred to the committee on commerce and navigation.

Messrs. Steele and Curtis presented petitions asking for the passage of an act for the assessment and taxation of all town and city bonds issued in aid of the construction of railroads, in the towns and cities where issued; which were read and referred to the special committee on taxation.

Mr. Andrews presented a petition in favor of establishing a State board of health; which was read and referred to the committee on public health.

Mr. Tallmadge presented a petition in favor of the passage of the bill introduced by Mr. Hayes, in relation to insane asylums; which was read and referred to the committee on ways and means.

Mr. Husted presented a petition of the New York committee for the prevention of licensed prostitution; which was read and referred to the committee on the judiciary.

Mr. Tuttle presented a petition of citizens of Steuben county, for a reduction of the tolls on foreign salt; which was read and referred to the committee on canals.

Mr. Roberts presented a petition for a bridge across the Erie canal in Buffalo; which was read and referred to the committee on canals.

Mr. Titus presented a petition of citizens of Tompkins county, asking for a registry law; which was read and referred to the committee of the whole.

Mr. Russell presented a petition in relation to taxes and assessments in the city of Brooklyn; which was read and referred to the committee on affairs of cities.

Privileges of the floor were granted to Messrs. Slevin and McGowan, former members of the House.

Mr. Catlin offered for the consideration of the House a resolution in the words following:

*Resolved*, That Senate bill No. 149, entitled "An act to confirm the election of trustees in the village of Hastings-on-Hudson, in the county of Westchester, and to provide for their election hereafter," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Comstock offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 193, general orders No. 210, entitled "An act to establish and maintain a police force in the city of Troy," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Gibbs offered for the consideration of the House the resolutions in the words following.

*Whereas*, It is charged that the life insurance companies authorized to do business in this State, and the officers and agents of said companies in this State, are spending enormous sums of money belonging to the trust funds placed in their custody for the benefit of widows and orphans, in printing and circulating false and scurrilous matter attacking each other, and in buying and circulating large editions of publications containing false and scurrilous articles attacking each other; and

*Whereas*, This expenditure of the money of policy-holders, to gratify the personal spite and rivalry of the officers and agents of said companies against each other, is alleged to be done without the knowledge and concurrence of said policy-holders, and is a deviation of their funds from the objects they had in view when they placed them in custody of said companies, and is against the interest of the future beneficiaries of said funds, to wit, the future dependent and helpless families of said policy-holders; therefore, be it

*Resolved*, That a special committee of five members be immediately appointed by the Speaker to investigate these charges; which committee shall have the power to hold sessions in the city of New York and examine officers and agents of life insurance companies, editors and publishers of newspapers, and printers of circulars, and all other persons alleged to be engaged in the disbursement of money for, and the circulation of said false and scurrilous matter, and to send for papers, and shall report to this Assembly the results within thirty days after the passage of this resolution.

*Resolved*, That this committee shall examine into the expediency of so amending the law regulating the Insurance Department, that it shall require of life insurance companies doing business in this State, a detailed statement, in their reports made at the close of each year, of the amount of money expended by them in the purchase and distribution of printed matter attacking rival companies, and as to whom said money has been paid; this committee to report thereon within thirty days after the passage of this resolution.

Mr. Cohen moved to lay the resolution on the table.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Cohen and it was determined in the negative.

Mr. Alvord moved to postpone the further consideration of said resolution until the fourth day of July next.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Alvord, and it was determined in the affirmative.

Mr. O'Brien offered for the consideration of the House a resolution in the words following:

*Whereas*, The principal committees of the House of Representatives in the Forty-first Congress, viz., the committee on appropriations and the committee on commerce, reported unanimously in favor of the passage of the following bill, to wit:

"A bill to provide for the better protection of the northern and north-western frontier, and to facilitate commerce and diminish the expense of the exchanges between States:

*"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury is hereby authorized to issue to the Comptroller of the State of New York, on the credit of the United States, coupon or registered bonds, of such denominations, not less than \$100 each, as he may think proper, to the amount of \$16,000,000, redeemable in coin at the pleasure of the government at any time after ten years, and payable in coin at the end of fifty years from date, and bearing interest at the rate of four and a half per cent per annum, payable semi-annually in coin;

*Provided*, That before the said bonds shall have been delivered to the Comptroller of the State of New York the Legislature of the said State, by enactment or by joint resolution, shall have given a pledge for the State, to commence without delay the enlargement of the aqueducts and one tier of the locks on the Erie and Oswego canals to a sufficient capacity to pass vessels of war twenty-five feet in width and two hundred feet in length, also merchant vessels of six hundred tons burden propelled by steam wherever the said canals are less than fifty-two feet wide upon the bottom, the State of New York to provide as aforesaid for their enlargement to that width; all the work herein contemplated to be done as soon as possible without any material interruption to the navigation of said canals;" and

*Whereas*, The enlargement of the Welland Ship canal, now nearly completed by the Canadian government, renders an enlargement of the navigable capacity of the Erie and Oswego canals more than ever necessary, to prevent the diversion of the great commerce of the north-west into foreign waters; and

*Whereas*, The results to be secured by such a work are for the benefit and advantage of the nation at large; and

*Whereas*, It has become the accepted duty and policy of the general government to take upon itself the cost and charge of improving and maintaining the main water channels of the country, through which its vast internal commerce circulates; therefore,

*Resolved*, by the Assembly (the Senate concurring), That the State of New York hereby declares its willingness to accept from the government of the United States such aid as may be offered on just and reasonable terms, to be applied to the extinguishment of the canal debt, and to the effective enlargement and improvement of the Erie and Oswego canals; and will join in such agreements as may be requisite to render those canals most serviceable to the commerce of the country.

*Resolved*, That his Excellency the Governor be requested to transmit a duly attested copy of the foregoing preamble and resolution to the

President of the United States Senate and to the Speaker of the House of Representatives with a request that the same may be presented to the two Houses of Congress.

Said resolution giving rise to debate,

*Ordered.* That the same be laid upon the table.

Mr. Beates offered for the consideration of the House a resolution in the words following:

*Resolved,* That Assembly bill No. 238, general order No. 256, entitled "An act for the division of the town of Tompkins, in the county of Delaware, and for the erection of a new town from the westerly portion thereof," be referred to the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Hayes offered for the consideration of the House a resolution in the words following:

*Resolved,* That Assembly bill No. 424, general order No. 465, entitled "An act to alter and define the boundaries of the first and third judicial districts of the city of New York," be referred to the sub-committee of whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Alvord offered for the consideration of the House a resolution in the words following:

*Resolved,* That Senate bill No. 165, entitled "An act to amend chapter 469 of the Laws of 1873, entitled 'An act relative to the purchasers of the franchises and property of corporations whose franchises and property shall have been sold by mortgage,'" be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Low offered for the consideration of the House a resolution in the words following:

*Resolved* That Assembly bill No. 272, entitled "An act to provide for the dissolution of union free school districts in certain cases," and Assembly bill No. 404, entitled "An act for the relief of W. H. Carver," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Chamberlain offered for the consideration of the House a resolution in the words following:

*Resolved,* That Assembly bill No. 432, entitled "An act to organize a fire department in the village of Madrid, St. Lawrence county, New York," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Husted offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That five copies of the Annual Report of the Eclectic Medical Society of the State of New York be printed for distribution to each member of the Legislature, and 800 copies for the use of the Society.

*Ordered,* That said resolution be referred to the committee on public printing.



Mr. Terry offered for the consideration of the House a resolution in the words following:

*Resolved*, That Senate bill No. 173, general orders No. 447, entitled "An act to amend chapter 611 of the Laws of 1875, entitled 'An act to provide for the organization and regulation of certain business corporations,'" be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Husted offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 165, entitled "An act to amend chapter 888 of the Laws of 1869, entitled 'An act to amend title 16, chapter 8, part 3 of the Revised Statutes, relative to proceedings for the drainage of swamps, marshes and other low or wet lands, and for draining farm lands,'" be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. McCarthy offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 369, general orders No. 401, entitled "An act in relation to the sheriff of the city and county of New York," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Warner offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill entitled "An act to amend chapter 175 of the Laws of 1875, entitled 'An act to regulate the sale of baled hay and straw in the State of New York,'" be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative.

Mr. Sanders offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 360, entitled "An act conferring additional powers upon the trustees of the village of LeRoy;" also, Senate bill No. 189, entitled "An act to abolish the office of commissioner for bonding the town of Pavilion, in Genesee county, in aid of the Rochester and State Line Railroad Company, and devolving the duties of said officer on the supervisor of said town," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Root offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 247, entitled "An act to authorize the construction of a bridge over the Erie canal at the village of Brockport, Monroe county," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act to amend section 9, chapter 11, article 1, title 2, part 1 of the Revised Statutes, and supplementary thereto."

"An act granting the consent of the State of New York to the purchase by the United States of certain lands, pond and rights for the purpose of increasing the water supply of West Point, New York, and ceding jurisdiction over said lands and pond."

"An act relinquishing title and jurisdiction to the United States over certain land covered with water in the harbor of New York at Governor's, Bedloe's, Ellis' and David's Islands, and Forts Lafayette, Hamilton, Wadsworth and Schuyler."

By unanimous consent,

Mr. Van Valkenburgh introduced a bill entitled "An act to amend an act entitled 'An act to incorporate the city of Lockport,' passed April 11, 1865, and the acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The bill entitled "An act to establish the quorum of the local board of Brockport Normal and Training School," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 97 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapsier	Kennedy	Shanley
Andrews	Cullinan	Lefever	Sheridan
Ash	Curtis	Liddle	Sherman
Baker, B. F.	Cushing	Lindsay	Sipp
Baker, C. S.	Davis	Low	Sisson
Beach	Deane	McAvoy	Skinner
Beates	Dougherty	McTernan	Slingerland
Benedict, E. D.	Douglass	Mead	Steele
Bradley	Duell	Miller	Strait
Brennan	Duguid	Mitchell	Tallmadge
Bridges	Ellis	Mooers	Terpeny
Brodsky	Evans	Nowlan	Terry
Case	Ferris	O'Connor	Thilemann
Catlin	Fish	Parker	Titus
Chamberlain	Fitzgerald	Peck	Tormey
Chase	Gillette	Phillips	Tozier
Chickering	Gorsline	Pitcher	Treanor
Childs	Gray	Potter	Tully
Clancy	Gwinup	Potts	Tuthill, H. H.
Clowes	Hayes	Roberts	Tuttle, R. M.
Cohen	Hoffman	Root	Varnum
Comstock	Howland	Russell	Wells, J. L.
Congdon	Husted	Sanders	Wiley
Cookinham	Ingersoll	Seeley	Wren
Costello			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to repeal chapter 374 of the Laws of 1876, entitled 'An act to amend chapter 555 of the Laws of 1864,

entitled 'An act to revise and consolidate the general acts relating to public instruction,' was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }  
{ NOES 5 }

Those who voted in the affirmative, were

Alvord	Crapser	Ingersoll	Russell
Andrews	Cullinan	Kennedy	Sanders
Ash	Curtis	Lefever	Seeley
Baker, B. F.	Cushing	Lindsay	Shanley
Baker, C. S.	Davis	Low	Sheridan
Beach	Deane	McAvoy	Sherman
Beates	Dougherty	McCarthy	Sipp
Benedict, E. D.	Douglass	McTernan	Sisson
Benedict, T. E.	Duell	Miller	Skinner
Bennett	Duguid	Mitchell	Slingerland
Bradley	Ellis	Morgan	Steele
Brennan	Evans	Newman	Strait
Bridges	Fish	O'Brien	Terpeny
Brodsky	Fiske	O'Connor	Terry
Case	Fitzgerald	Parker	Thilemann
Catlin	Gibbs	Peck	Tormey
Chase	Gray	Phillips	Tozier
Chickering	Gwinup	Pitcher	Tully
Clancy	Hoffman	Potts	Tuttle, R. M.
Comstock	Howland	Roberts	Varnum
Cookinham	Hurd	Root	Wiley
Costello	Husted		

Those who voted in the negative, were

Clowes	Moore	Potter	Titus
Gorsline			

Mr. Cullinan moved to reconsider the vote and that motion be laid on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Mitchell called for the consideration of the resolution heretofore offered by him as follows:

*Resolved*, That the State Engineer and Surveyor and the Comptroller be requested to make an examination of the amounts received and expended by the several railroad companies in this State; and to ascertain the net income derived by such companies from all sources for the year last past; and whether such income has exceeded an annual income of ten per cent upon the capital of the corporation actually expended, as provided in section 33 of chapter 140 of the Laws of 1850, and to report to this House, with all convenient speed, the result of their investigations; and, further,

*Resolved*, That they be requested to investigate and report, first in order, as to the elevated railroad corporations in New York city.

Mr. Varnum moved to amend the resolution so as to apply only to the elevated railroads in New York city.

After debate,

Mr. Liddle moved the previous question.

Mr. Speaker put the question "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the amendment of Mr. Varnum, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the consideration of said resolution, and it was determined in the negative.

{ AYES 28 }  
{ NOES 51 }

Those who voted in the affirmative, were

Baker, B. F.	Cushing	Hoffman	Phillips
Beach	Dougherty	McAvoy	Shanley
Benedict, T. E.	Fiske	McCarthy	Sheridan
Bradley	Fitzgerald	Mitchell	Thilemann
Catlin	Gibbs	Newman	Treanor
Clancy	Gwinup	O'Connor	Tully
Cohen	Hayes	Parker	Walsh

Those who voted in the negative, were

Alvord	Cookinham	Husted	Roberts
Andrews	Crapser	Ingersoll	Root
Ash	Cullinan	Kennedy	Russell
Baker, C. S.	Curtis	Lefever	Seeley
Benedict, E. D.	Davis	Low	Skinner
Brennan	Deane	Mead	Slingerland
Bridges	Duell	Mooers	Strait
Bullock	Duguid	Morgan	Terpeny
Case	Fish	Nowlan	Terry
Chamberlain	Gray	Peck	Titus
Clowes	Griggs	Pitcher	Tuttle, R. M.
Comstock	Havens	Potter	Varnum
Congdon	Hurd	Potts	

Mr. Case offered for the consideration of the House a resolution in the words following:

*Resolved*, That the special committee on acoustics be allowed until March 26, 1880, to report to this House.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate sent for concurrence the bills entitled as follows:

"An act to legalize the official acts and proceedings of Hiram Dimick, a justice of the peace of the town of Wirt, in the county of Allegany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 365 of the Laws of 1871, entitled 'An act to incorporate the New York Cotton Exchange.'"

Mr. Mitchell offered for the consideration of the House a resolution in the words following:

*Resolved*, That Senate printed bill No. 143 be substituted for Assembly printed bill No. 321, general order No. 347, both entitled "An act to amend an act entitled 'An act to incorporate the New York Cotton Exchange,' passed April 8, 1871."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate sent for concurrence the bill entitled as follows:

"An act to amend chapter 868, Laws of 1872, entitled 'An act to incorporate the United States Loan and Security Company,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Senate sent for concurrence the resolution entitled as follows:

*Resolved* (if the Assembly concur), That 250 copies of the report of the commissioners of quarantine be printed for the use of the commissioners.

*Ordered*, That said resolution be referred to the committee on public printing.

A message from the Senate was received and read, informing of concurrence in the passage of the bills entitled as follows:

"An act to authorize the board of trustees of Putnam union free school district No. 10 of White creek and Jackson, to sell and convey a portion of the real estate constituting their school-house site."

"An act ceding jurisdiction to the United States over a submarine site for a light-house to be built at the Great Beds in Raritan Bay."

*Ordered*, That the Clerk deliver said bills to the Governor.

The Senate returned the bill entitled "An act to authorize the appointment of counselors at law as notaries public," with a message that they had concurred in the passage of the same with the following amendments:

Strike out all after the enacting clause and insert the following:

Section 1. The Governor is hereby authorized and empowered, by and with the advice and consent of the Senate, to appoint in each county notaries public, equal to ten, for each Assembly district in such county in addition to the number now allowed by law.

Sec. 2. This act shall take effect immediately.

Amend the title so as to read as follows:

"An act providing for the appointment of additional notaries public."

Mr. C. S. Baker moved that the House do non-concur in the amendments of the Senate to the said entitled bill, and that a committee of conference be appointed, and that a like committee be requested on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have non-concurred in their amendments.

At 1 o'clock and 45 minutes, on motion of Mr. Husted, the House adjourned.

MONDAY EVENING, MARCH 22, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Upson.

The journal of Friday was read and approved.

Mr. Wiley introduced a bill entitled "An act to amend section 139

of article 4, chapter 1 of part 2 of the Revised Statutes, relating to remedies of mortgages," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. D. A. Wells introduced a bill entitled "An act to legalize the action of the annual town meeting of the town of Johnstown in the county of Fulton, held on the 10th and 11th of February, 1880, in raising money for roads and bridges and authorizing the collection thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill entitled "An act to release the right, title and interest of the people of the State of New York of, in and to certain real estate of which George Johnson died seized to Catharine Johnson, his widow," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

Also, the bill entitled "An act to confirm the official acts of George M. Briggs, Charles Forbes and George W. Brimmer, commissioners of excise in and for the town of Broadalbin, in the county of Fulton, and to enable them to execute a bond to the supervisor thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill entitled "An act to amend an act entitled 'An act to enable the electors of the town of Johnstown to vote by districts for town officers,' passed March 21, 1862," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Russell (by request) introduced a bill entitled "An act releasing all the right, title and interest of the people of the State of New York to and in certain lands in the city of Brooklyn, eastern district, formerly town of Bushwick, county of Kings, formerly lying in the East river," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Lindsay introduced a bill entitled "An act relative to street railroads in cities," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. C. S. Baker introduced a bill entitled "An act to amend section 829 of the Code," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Cohen introduced a bill entitled "An act regulating the commencement of certain civil actions by the board of health of the city of New York, and to secure the judgments recovered in said actions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Alvord (for Mr. Duguid) introduced a bill entitled "An act to amend part 1, chapter 16, article 6 of the Revised Statutes, entitled 'Of highways, bridges, fences and harbors,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Bridges introduced a bill entitled "An act to legalize the official acts of Elihu W. Clarke, a justice of the peace of the town of

Milford, in the county of Otsego," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Clowes introduced a bill entitled "An act to reduce the expenses of the improvement commission in Long Island City," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Cookinham introduced a bill entitled "An act to amend the act entitled 'An act to revise the charter of the city of Utica, passed February 28, 1862, as amended by the act entitled 'An act to amend chapter 18 of the Laws of 1862, entitled 'An act to revise the charter of the city of Utica,' passed May 20, 1876," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The Private Secretary of the Governor appeared before the bar of the House and presented a message in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, {  
ALBANY, *March 22, 1880.* }

*To the Assembly:*

Assembly bill No. 84, entitled "An act to amend chapter five hundred and fifty-five of the Laws of 1864, entitled 'An act to revise and consolidate the general acts in relation to public instruction,'" is herewith returned without approval.

The present law provides that the county treasurer shall pay to the trustees of school districts the amount of taxes returned as uncollectible. The amendment proposed by this bill provides that the money shall be paid by the treasurer to the collector of the district on the written order of the trustees. As the trustees are the proper custodians of the money, it seems to me that the change proposed is not wise.

ALONZO B. CORNELL

Mr. Brennan moved that said message with bill do lay upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Sipp offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill introductory No. 617, general order. No. 433, entitled "An act, further defining and limiting the powers and duties of the commissioners of the road, formerly known as the Buffalo plank road, in the county of Erie, and contracting said road," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Speaker announced the special order of the day being "An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations."

The House then resolved itself into a committee of the whole on the bill entitled as follows:

"An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Kennedy, from said committee, reported progress upon said bill, and asked and obtained leave to sit again.

Mr. Husted moved to make said bill a special order to morrow morning immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

On motion of Mr. Husted, and at 10 o'clock, the house adjourned.

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## TUESDAY MORNING, MARCH 23, 1880.

The House met pursuant to adjournment.

Prayer by the Rev. John F. Clymer.

The journal of yesterday was read and approved.

Mr. Cookinham offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor requesting the return of Assembly bill No. 62, entitled "An act to enforce collection of the taxes levied in the county of Oneida," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Speaker presented a list of bills selected by the Speaker and Clerk for reference to the sub-committee of the whole; which was laid on the table and ordered printed.

(See Doc. No. 93.)

Mr. Strait introduced a bill entitled "An act to amend an act entitled 'An act to amend the charter of the village of Nassau, in the county of Rensselaer,' passed April 17, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Sisson introduced a bill entitled "An act to amend and consolidate an act entitled 'An act to incorporate the village of Cambridge,' passed April 16, 1866, and the several acts amending and supplementing the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Bradley introduced a bill entitled "An act to prevent malicious annoyance," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. C. S. Baker introduced a bill entitled "An act to provide for the protection and preservation of fish in the county of Monroe, State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

Mr. Clark introduced a bill entitled "An act to amend chapter 53 of the Laws of 1867, increasing the salary of the district attorney of



Chautauqua county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Mitchell (by request) introduced a bill entitled "An act to authorize the board of education of the city of New York to exchange lands used for school purposes in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Bridges introduced a bill entitled "An act to amend chapter 431 of the Laws of 1879, entitled 'An act requiring the commissioners of the town of Unadilla, in the county of Otsego, to pay over the surplus moneys or securities in their hands to the county treasurer, to be used for the payment of taxes against said town,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Skinner (by request) introduced a bill entitled "An act to enable the legal voters of any town, city or ward thereof to determine whether the sale of intoxicating liquors shall be licensed therein, except for medicinal, mechanical, art, scientific and sacramental use," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Curtis introduced a bill entitled "An act to provide for the election of a board of directors of the New York and Oswego Midland Railroad Company, and to compel the delivery of the stock books and papers relating to the stock of the said company to the officers of the said company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Bradley introduced a bill entitled "An act to amend chapter 466 of the Laws of 1877, entitled 'An act in relation to the assignments of the estates of debtors for the benefit of creditors,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

By unanimous consent,

Mr. Brennan offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 257, general orders 277, entitled "An act to amend chapter 80 of the Laws of 1870, entitled 'An act to provide for the enrollment of the militia, for the organization of the National Guard of the State of New York, and for the public defence, and entitled the 'Military Code,'" be referred to the sub-committee of the whole.

Also, that Assembly bill No. 274, general orders 296, entitled "An act to amend an act entitled 'An act for the relief of stockholders of corporations whose certificates have been lost or destroyed,' passed March 27, 1873," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolutions, and it was determined in the affirmative.

The Senate returned the bill entitled "An act to release all that part of the waters of Lake Ontario, together with its bays and inlets in the county of Jefferson, saving and excepting Henderson harbor and bay, from the operation of the provisions of sections

23 and 26 of chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game.'

*Ordered*, That the Clerk deliver said bill to the Governor.

A message from the Senate was received and read informing of concurrence in the passage of the following resolution:

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor requesting the return of Assembly bill No. 91, entitled "An act to provide for the improvement and care of private parks in the several cities of this State," for amendment.

*Ordered*, That the Clerk deliver said resolution to the Governor.

By unanimous consent,

Mr. Slingerland offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 439, general orders 485, entitled "An act for grading and planking Delaware avenue, in the city of Albany, from the north line of Warren street to the division line between the city of Albany and the town of Bethlehem, and to provide for the payment of the same," be taken from the committee of the whole and referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker announced the special order of the day being Assembly bill entitled "An act making appropriations for certain expenses of government, and supplying deficiencies in former appropriations."

The House then resolved into a committee of the whole, and after some time spent therein, the hour of 2 having arrived the Speaker resumed the chair.

Mr. Husted moved that the time of this session be extended until the special order which has been under consideration be disposed of.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The House again resolved itself into a committee of the whole on the bill entitled as follows:

"An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Kennedy, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Husted moved that the committee of the whole be discharged from the further consideration of said bill, and that said bill be ordered to a third reading with amendments adopted in the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. C. S. Baker moved that Assembly bill entitled "An act in relation to leases by railroad corporations," be made a special order for Thursday morning, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

On motion of Mr. Husted, and at 3 o'clock and 30 minutes, the House adjourned.

## WEDNESDAY MORNING, MARCH 24, 1880.

The House met pursuant to adjournment.

Prayer by Rev. George E. McLean.

The journal of yesterday was read and approved.

Leave of absence was granted to Mr. Wren for the week.

Mr. E. D. Benedict introduced a bill entitled "An act in relation to assessments in the county of Kings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Miller introduced a bill entitled "An act to authorize and direct the town board of the town of Lenox, Madison county, State of New York, to appoint an additional justice of the peace and constable in and for said town; also authorizing and directing the people of the said town of Lenox to elect an additional justice of the peace and constable," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Duell introduced a bill entitled "An act to regulate the appointment of referees and receivers in courts of record in this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Youngs introduced a bill entitled "An act for the protection of farmers and gardeners," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

Also, the bill entitled "An act to ratify and confirm the official acts of the commissioners appointed by chapter 166 of the Laws of 1870, to provide for the settlement of the boundary lines between the State of New York and the State of Connecticut," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Potter introduced a bill entitled "An act to repeal chapter 907 of the Laws of 1869, entitled 'An act to amend an act entitled 'An act to authorize the formation of railroad corporations and to regulate the same,' passed April 2, 1850, so as to permit municipal incorporations to aid in the construction of railroads, and all laws amendatory thereof,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Sisson introduced a bill entitled "An act to amend section 27, article 2, title 2, chapter 1, part 4 of the Revised Statutes of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Sherman introduced a bill entitled "An act to legalize and confirm the election of officers for the village of Macedon, in the county of Wayne," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Sanders, and by unanimous consent, said bill was ordered to a third reading.

Mr. McAvoy introduced a bill entitled "An act granting rights to cities, counties and towns," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Privileges of the floor were granted to Hon. Sylvester Lester, Hon. Jacob M. Whitbeck, Hon. Mr. Flack, Hon. John I. Gilbert, Hon. N. M. Allen and Hon. Thomas C. Platt.

Mr. Steele introduced a bill entitled "An act in relation to assessments for taxes in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee of the whole.

The Senate sent for concurrence the bills entitled as follows:

"An act in relation to assessments for taxes in the city of New York," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Steele, and by unanimous consent, said bill was ordered to a third reading.

"An act to authorize the State Comptroller to issue revenue bonds in anticipation of the State tax, for expenses of government," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

"An act to amend chapter 535 of the Laws of 1871, entitled 'An act to extend the operation and effect of the act passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

"An act establishing the salary of the Deputy Comptroller," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

"An act to repress and punish disorderly conduct on public conveyances," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to provide that the superintendent of the poor of the county of Columbia may be the keeper of the poor-house of said county, and to provide for his compensation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act to amend chapter 280 of the Laws of 1847, entitled 'An act in relation to the judiciary,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 83 of the Laws of 1869, entitled 'An act for the improvement of Grasse river, and of the water power thereon, and to check freshets therein,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act to amend chapter 330 of the Laws of 1850, entitled 'An act reincorporating the village of Little Falls by the name of Rockton, and the acts amendatory thereof,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

"An act to provide for shading public highways," which was read

the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to provide for the formation of county co-operative insurance companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

"An act to facilitate the carrying out of plans and agreements for the reorganization of railroads," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

On motion of Mr. Catlin, and by unanimous consent, said bill was substituted for Assembly bill No. 451 on same subject.

"An act to amend chapter 519 of the Laws of 1870, entitled 'An act to amend the charter of the city of Buffalo,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

A message from the Senate was received and read informing of concurrence in the passage of the bills entitled as follows:

"An act to enable trustees of villages in the county of Richmond to contract for a supply of water to such villages for fire and other public purposes, and to raise and expend money therefor."

"An act to further amend the charter of the village of Cooperstown in the county of Otsego."

"An act to amend section 2 of chapter 917 of the Laws of 1869, entitled 'An act authorizing the consolidation of certain railroad companies.'"

"An act to regulate the location of future burial grounds or cemeteries within the city of Buffalo."

"An act to amend chapter 351 of the Laws of 1874, entitled 'An act to amend chapter 312 of the Laws of 1859, entitled 'An act to equalize the State tax among the several counties in the State, and to amend chapter 327 of the Laws of 1873,' amendatory thereof.'"

*Ordered*, That the Clerk deliver said bills to the Governor.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Bridges (introductory No. 378), entitled "An act to legalize the official acts of Elihu W. Clark, a justice of the peace of the town of Milford, in the county of Otsego," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. D. A. Wells (introductory No. 618), entitled "An act to legalize and confirm the official acts of William J. Robb, a justice of the peace of the town of Perth, in the county of Fulton," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. I. S. Carpenter (introductory No. 837), entitled "An act to legalize the official acts of Barclay Haviland, a justice of the peace in the town of Washington, in the county of Dutchess," reported in favor of the passage of the same.

On motion of Mr. I. S. Carpenter, and by unanimous consent, said bill was ordered to a third reading.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 18), entitled "An act to

establish the compensation of the county judge and surrogate of the county of Orange," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Morgan (introductory No. 650), entitled "An act to suppress tippling and the drink trade in the county of Allegany, etc.," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Potter (introductory No. 791), entitled "An act in relation to the duties of supervisors of the town of Saratoga Springs," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the Senate bill (introductory No. 155), entitled "An act to authorize the purchase of a stone crusher by the town of Manheim," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Bridges, from the committee on public printing, to which was referred the resolution to print extra copies of the Annual Report of the State Engineer and Surveyor on the Canals, reported in favor of the adoption of the following resolution :

*Resolved* (if the Senate concur), That 1,500 copies of the last Annual Report of the State Engineer and Surveyor on the Canals be printed for the use of the Legislature and the Engineer's Department; 500 to be bound in cloth, the balance in paper.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Bridges, from the committee on public printing, to which was referred the Senate resolution to print extra copies of the report of the commissioners of quarantine, reported in favor of concurring in the adoption of the following resolution :

*Resolved* (if the Assembly concur), That 250 copies of the report of the commissioners of quarantine be printed for the use of the commissioners.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Bridges, from the committee on public printing, to which was referred the Senate resolution to print extra copies of the annual report of the Trustees of the Astor Library, reported in favor of concurring in the adoption of the following resolution :

*Resolved* (if the Assembly concur), That 500 extra copies of the annual report of the Astor Library be printed for the use of the trustees, with paper covers.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

{ AYES 78 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Congdon	Hayes	Pitcher
Andrews	Cookinham	Hoffman	Potter
Ash	Curtis	Hurd	Potts
Baker, B. F.	Cushing	Ingersoll	Roberts
Baker, C. S.	Davis	Kennedy	Russell
Beach	Deane	Lefever	Seeley
Beates	Dougherty	Liddle	Sheridan
Brennan	Douglass	Low	Sherman
Bridges	Duell	McAvoy	Shuit
Brodsky	Duguid	McCabe	Sipp
Bullock	Evans	McCarthy	Skinner
Carpenter, E. A.	Ferris	McTernan	Steele
Carpenter, I. S.	Fish	Mead	Strait
Catlin	Fitzgerald	Miller	Travis
Chamberlain	Gibbs	Mitchell	Tully
Chase	Gillette	Mooers	Tuttle, R. M.
Childs	Gray	O'Brien	Waterbury
Clark	Griggs	O'Connor	Wells, D. A.
Clowes	Havens	Parker	Mr. Speaker
Comstock			

Those who voted in the negative, were

Benedict, E. D.      Howland

*Ordered*, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Chickering, from the committee on game laws, to which was referred the bill introduced by Mr. Low (introductory No. 714), entitled "An act to protect a part of the waters of Lake Ontario," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Chickering, from the committee on game laws, to which was referred the bill introduced by Mr. Chase (introductory No. 142), entitled "An act to amend section 8 of chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,'" reported adversely thereto, which report was agreed to.

Mr. Chickering, from the committee on game laws, to which was referred the bill introduced by Mr. Beates (introductory No. 706), entitled "An act for the preservation of fish in the town of Davenport, Delaware county, N. Y.," reported adversely thereto, which report was agreed to.

Mr. Chickering, from the committee on game laws, to which was referred the bill introduced by Mr. Gwinup (introductory No. 549), entitled "An act for the preservation of deer in the vicinity of Lake George," reported adversely thereto, which report was agreed to.

Mr. Shuit, from the committee on State prisons, reported a bill entitled "An act in relation to the employment of convicts confined in the State prisons of this State," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Shuit, from the committee on State prisons, to which was referred the bill introduced by Mr. Newman (introductory No. 610),

entitled "An act to amend chapter 253 of the Laws of 1877, entitled 'An act to amend chapter 107 of the Laws of 1877, entitled 'An act in relation to the Superintendent of State prisons and for the more efficient and economical management of said prisons,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Chase, from the committee on agriculture, to which was referred the bill introduced by Mr. Tozier (introductory No. 833), entitled "An act to promote agriculture and to facilitate the formation of agricultural and horticultural societies," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Chase, from the committee on agriculture, to which was referred the bill introduced by Mr. Travis (introductory No. 16), entitled "An act regulating the rate of compensation to be paid to railroad companies for the transportation of milk," reported adversely thereto, which report was agreed to.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Clowes (introductory No. 871), entitled "An act to reduce the expenses of the improvement commission in Long Island City," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Comstock (introductory No. 861), entitled "An act to amend chapter 30 of the Laws of 1880, entitled 'An act to amend chapter 598 of the Laws of 1870, entitled 'An act to amend an act to incorporate the city of Troy,' passed April 12, 1816, and the several acts amendatory thereof, and also to amend other acts relating to the city of Troy and supplemental thereto, passed February 27, 1880," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. O'Brien (introductory No. 859), entitled "An act permitting the common council of the city of Buffalo, in its discretion, to allow or disallow, in whole or in part, any claim or claims in abating certain nuisances, by direction of the board of health of the city of Buffalo in the years 1877 and 1878," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. McCarthy (introductory No. 757), entitled "An act to authorize and direct the comptroller of the city of New York to pay the salary of James E. McVeany, as one of the assistant aldermen of the city of New York, and to reimburse said McVeany for the expenses incurred by him in vindicating his title to said office," reported in favor of the passage of the same with amendments, and title amended so as to read as follows: "An act to authorize and direct the comptroller of the city of New York to pay the salary of James E. McVeany as one of the assistant aldermen of the city of New York," which report was agreed to and said bill committed to the committee of the whole.



Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows:

"An act to revise and consolidate the general acts relating to the relief and support of indigent persons.

By unanimous consent,

Mr. Hayes introduced a bill entitled "An act to provide for excavating, tunneling and bridging, for transportation purposes, within villages and cities of the State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

The special committee on taxation reported a bill entitled "An act to provide for raising taxes for the use of the State, upon certain associations, corporations and joint-stock companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee of the whole.

Also, the bill entitled "An act to amend chapter 37 of the Laws of 1855, entitled 'An act amendatory of the acts for the assessment and collection of taxes,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee of the whole.

By unanimous consent,

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Comstock, introductory No. 770, entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the village of Lansingburgh,' passed April 16, 1864, and the several acts additional thereto and amendatory thereto," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Pitcher, introductory No. 724, entitled "An act to amend chapter 360 of the Laws of 1867, in relation to the village of Rhinebeck," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Messrs. Low, Griggs, Oongdon, Gillette, Tozier, Sherman, Peck, Evans, Shuit, Sharpe, Seeley, Miller, Ingersoll, Chickering, Skinner, Hoffman, Howland, Curtis, Mooers, Nowlan, Chase, Cookinham and Sanders presented petitions in favor of the passage of bills recommended by the special railroad committee; which were read and referred to the committee on railroads.

Messrs. Crapser, Nowlan, Chamberlain, Griggs, Kennedy, Travis, Sherman, C. S. Baker, Titus, Peck, Rhodes, Chase, Steele, Low, Cookinham, B. F. Baker, Gray, Van Valkenburg, Pitcher, Ingersoll, Sanders, Miller, Skinner, Ellis and Root, presented petitions against the passage of bills recommended by the special railroad committee; which were read and referred to the committee on railroads.

Messrs. Gorsline, Tuttle and Cullinan presented petitions in favor of a constitutional amendment, prohibiting the manufacture and sale of intoxicating liquors; which were read and referred to the committee on internal affairs.

Messrs. Carpenter, Sisson, Miller, Catlin and Ingersoll presented petitions against any change in the excise laws; which were read and referred to the committee on internal affairs.

Mr. Catlin offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 196, general order No. 213, entitled "An act to amend chapter 195 of the Laws of 1846, entitled 'An act to authorize the New York and New Haven Railroad Company to extend their railroad from the Connecticut line to the New York and Harlem railroad,'" be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

Mr. Bradley offered for the consideration of the House a resolution in the words following:

*Resolved*, That Senate bill No. 28, entitled "An act concerning traps," be made a special order for Tuesday next, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Gwinup offered for the consideration of the House a resolution in the words following:

*Whereas*, The charters of the National banks will shortly begin to expire, and their circulating notes secured by United States bonds deposited in the Treasury Department will be called in for the redemption of such bonds; and

*Whereas*, By this process the circulating medium, passing as money, will become greatly lessened, thereby causing shrinkage in values, uncertainty in commercial operations and consequent lessening of industrial enterprise and an inevitable reduction of the price and value of labor; and

*Whereas*, The process of so called resumption of specie payments and metallic or bi-metallic currency have, in the recent past, taught the people of the United States a bitter and never-to-be-forgotten lesson of the individual disaster and beggaring of innocent parties by the inconsiderate tampering with currency; and

*Whereas*, The finances of the Federal government are now being administered with a direct view to enhance values by funding for treasury account of United States bonds, not yet matured, and paying gold coin for the same, so that upon the consequent depreciation the ring of two-third termers and treasury sycophants and unprincipled speculators shall be prepared to acquire wealth without any labor, to the great detriment of the good people of the United States; and

*Whereas*, It is the duty of our Legislature to take warning from the past and to prevent the recurrence of undeserved financial panics; therefore

*Resolved* (if the Senate concur), That our Senators and Representatives in the Congress of the United States be and they are hereby requested to introduce into Congress joint resolutions or other measures bearing the force of law, providing that upon the expiration of any charter of any National bank, its circulating notes shall at once be assumed by the Government of the United States, and be redeemed in full legal tender notes or other lawful money of the United States,

and that the bonds held in trust shall continue in the treasury of the United States until maturity, and shall be subject to a rebate of the interest accruing upon the principal amount of such circulation at the like rate of interest as the bonds deposited are bearing, to be computed from the time of the expiration of such bank charter until the maturity of such bonds; and provided that at the option of any such bank, the surplus value and amount of such bonds may be paid over to said bank or its successor or assigns upon the expiration of said charter, and that the President of the United States shall be authorized to direct the Secretary of the Treasury to pay such surplus at any time after the expiration of such charter, out of any moneys in the treasury not otherwise appropriated, and that upon such payment the bonds so held in trust shall be deemed and declared canceled and satisfied in full, any thing in said bonds or in any act of Congress to the contrary notwithstanding.

Said resolution giving rise to debate,

*Ordered*, That the same be laid upon the table.

Mr. Evans offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 159, entitled "An act to provide for the organization and formation of companies for the purpose of increasing the water supply of any river or stream in this State in aid of the milling and manufacturing interests thereof," be recommitted to the committee on internal affairs, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Youngs offered for the consideration of the House a resolution in the words following:

*Resolved*, That evening sessions of the House be held every Tuesday and Thursday evenings at 8 o'clock, beginning on Tuesday evening, March 30.

Mr. Alvord moved to amend by striking out all after the word "resolved," and inserting in lieu thereof "that afternoon sessions of this House be held on Tuesday and Thursday afternoons at 4 o'clock, and ending at 6 o'clock."

Mr. Varnum moved to amend by striking out "commencing on Tuesday," and insert "Thursday, April 1."

Mr. Speaker put the question whether the House would agree to the motion of Mr. Varnum, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Alvord, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion, as amended, and it was determined in the affirmative.

Mr. Alvord offered for the consideration of the House a resolution in the words following:

*Resolved*, That Senate bill No. 140, entitled "An act to secure uniform ballots and preserve the purity of elections," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Cookinham offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 152, general orders 164, entitled

"An act to authorize the Superintendent of Public Works to construct a lift, hoist, swing or draw bridge over the Erie canal upon Genesee street, in the city of Utica," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Duell offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee on rules be requested to report to this House, within ten days, the advisability of changing Assembly rule 4, so that it shall read as follows:

Rule 4. The Clerk of the Assembly shall provide a box, to be kept at the Clerk's desk, into which shall be put all petitions, memorials and any other papers addressed to the House. The Clerk shall daily enter in the journal a list of all such petitions and memorials.

Said resolution giving rise to debate,

*Ordered*, That the same be laid upon the table.

Mr. Duell offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee of the whole be discharged from the further consideration of Assembly bill No. 449, general orders No. 496, entitled "An act for the care of animals," and that it be sent to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Treanor offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 308, general orders 333, entitled "An act to authorize the improvement of public squares, parks or places in Fourth avenue, between 67th and 96th streets, in the city of New York," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Dougherty offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 169, general orders 180, entitled "An act in relation to runners or solicitors of passengers or patronage for steamers, steamboats, ships, vessels, hotels, railroads or transportation companies in the city of New York," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Varnum offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 453, general orders 501, entitled "An act to suppress intemperance by regulating the sale, keeping and disposal of strong, spirituous and intoxicating liquors, wines, ale and beer in the city of New York," be made a special order for Monday evening, April 5, immediately after the reading of the journal.

After debate,

Mr. Varnum moved to lay said resolution on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. C. S. Baker moved that the following bills be referred to the sub-committee of the whole:

"An act to amend chapter 151 of the Laws of 1873, entitled 'An act for the relief of stockholders of corporations whose certificates of stock have been lost or destroyed.'"

"An act to amend chapter 902 of the Laws of 1869, in relation to securities deposited by life insurance companies with the Superintendent of Insurance."

"An act to authorize joint-stock fire insurance companies to issue policies providing against loss or damage by lightning."

"An act for the better security of the bonds of public officers and others."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Chickering offered for the consideration of the House a resolution in the words following:

*Resolved*, That Senate bill No. 111, entitled "An act to exempt certain towns of this State from the provisions of chapter 431 of the Laws of 1875, entitled 'An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof,'" be sent to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Sheridan offered for the consideration of the House a resolution in the words following:

*Resolved*, That Senate bill No. 98, general orders 530, entitled "An act to amend chapter 461 of the Laws of 1877, entitled 'An act to confer the powers of harbor masters on the police patrolmen detailed to certain docks and piers in said city by the board of commissioners of police and excise of the city of Brooklyn,'" be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative.

Mr. Hurd offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 434, general orders 480, entitled "An act relating to the banks and prism of the Genesee Valley canal, and for the sale thereof," be recommitted to the committee on canals, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. O'Brien called from the table a resolution previously offered by him in the words following:

*Whereas*, A combination has been organized and exists among the paper manufacturers of this country, by which the price of printing paper has been advanced some forty per cent without any just reason therefor,

*Resolved*, That our Senators and Representatives in Congress be requested to vote in favor of the passage of the bill now pending in Congress to remove the duty on paper imported into this country to be used in printing books, periodicals and newspapers.

*Resolved*, That a copy of these resolutions be sent to the Senators and Representatives from the State of New York in Congress.

Mr. O'Brien moved to substitute the following for said resolution:

*Resolved*, That our Senators and Representatives in Congress be and they are hereby respectfully requested to use their influence and vote

for a bill placing on the free list all articles used in making paper, and, also, for the bill now pending in Congress or for a new bill, reducing the duty on foreign paper from twenty per cent to five per cent.

Mr. Alvord moved to lay said resolution, with substitute, on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Curtis offered for the consideration of the House a resolution in the words following :

*Resolved*, That Assembly bill No. 223, general orders 240, entitled "An act to grant relief to the sureties of trustees appointed by the Supreme Court of the State of New York," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Hoffman offered for the consideration of the House a resolution in the words following :

*Resolved*, That Assembly bill No. 162, entitled "An act in relation to the equalization of taxes and assessments in the county of Che-mung," be referred to the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

Mr. Andrews offered for the consideration of the House a resolution in the words following :

*Resolved*, That the committee of the whole be discharged from the further consideration of Assembly bill No. 446, entitled "An act in relation to the payment of costs on arrest, trial and punishment for crimes and misdemeanors in villages, and in relation to the civil jurisdiction of police justices therein," and that it be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative.

Mr. Griggs offered for the consideration of the House a resolution in the words following :

*Resolved*, That Senate bill No. 139, entitled "An act making an appropriation to continue the work on the new Capitol building," be made a special order for Friday morning, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Sheridan offered for the consideration of the House a resolution in the words following :

*Resolved*, That Senate bill No. 98, entitled "An act to amend chapter 461 of the Laws of 1877, entitled 'An act to confer the powers of harbor masters on the police patrolmen detailed to certain docks and piers in said city, by the board of commissioners of police and excise of the city of Brooklyn,'" be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

Mr. Travis offered for the consideration of the House a resolution in the words following :

*Resolved*, That Senate bill No. 107, general orders 459, entitled "An act further to amend chapter 270 of Laws of 1850, entitled 'An act to authorize the appointment of commissioners to take proof and acknowledgments, and to administer oaths in other States and Territories,'" be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Alvord called for the enforcement of the ninth joint rule, third reading of bills.

Mr. Brennan moved to lay said order of business, third reading of bills, on the table, for the purpose of going through order of business resolutions.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Curtis offered for the consideration of the House a resolution in the forms following:

*Resolved*, That Assembly bill No. 290, general orders 313, entitled "An act to amend chapter 175 of the Laws of 1870, entitled 'An act regulating the sale of intoxicating liquors,'" be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The Senate sent for concurrence the bill entitled as follows:

"An act to amend chapter 258 of the Laws of 1864, entitled 'An act to amend and consolidate the several acts in relation to the charter of the village of Penn Yan,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Fish, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 94 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Husted	Russell
Andrews	Cullinan	Ingersoll	Sanders
Ash	Curtis	Kennedy	Seeley
Baker, B. F.	Cushing	Lefever	Sheridan
Baker, C. S.	Davis	Liddle	Sherman
Beach	Douglass	Lindsay	Shuit
Beates	Duell	McAvoy	Siason
Benedict, T. E.	Duguid	McCabe	Skinner
Bennett	Ellis	McTernan	Slingerland
Bradley	Evans	Mead	Steele
Brennan	Ferris	Miller	Terpeny
Bridges	Fish	Moors	Terry
Brodsky	Fiske	Morgan	Titus
Bullock	Fitzgerald	Newman	Tozier
Carpenter, E. A.	Gibbs	Nowlan	Travis
Carpenter, I. S.	Gillette	O'Brien	Tully
Catlin	Gray	O'Connor	Tuthill, H. H.

Chamberlain	Griggs	Parker	Waterbury
Chickering	Gwinup	Peck	Wells, D. A.
Childs	Havens	Phillips	Wells, J. L.
Clark	Hayes	Potts	Wiley
Cohen	Hoffman	Rhodes	Youngs
Comstock	Howland	Roberts	Mr. Speaker
Cookinham	Hurd		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence the following resolution :

*Whereas*, The one hundredth anniversary of Treaty of Peace and the Recognition of American Independence occurs during the year 1883 ; and,

*Whereas*, It is proposed during that year to hold an international exhibition in the city of New York ; and,

*Whereas*, The initiatory steps have already been taken to that end, and a bill providing for holding the exhibition under the auspices of the government of the United States has been presented to Congress, and is now before the Senate ; therefore,

*Resolved* (if the Assembly concur), That the Legislature of the State of New York most heartily concur in the appropriateness and desirability of holding such an international exhibition, and that it hereby request the Senators and Representatives of this State to give their aid and co-operation in effecting proper legislation in Congress for the accomplishment of the desired end.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk return said resolution to the Senate, with a message informing of concurrence therein.

Also, the following :

*Resolved* (if the Assembly concur), That a respectful message be sent to His Excellency the Governor requesting the return of Senate bill No. 90, entitled "An act to amend chapter 497 of the Laws of 1874, entitled 'An act to amend the charter of the city of Poughkeepsie, and to consolidate with it other acts relating to said city,'" for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk return said resolution to the Senate, with a message informing of concurrence therein.

The Senate returned the bill entitled "An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes," with a message that they had concurred in the passage of the same with the following amendments :

Section 1, line 8, after "conducting" insert "selling;" line 9, after "mining" insert "domestic manufacturing, municipal and agricultural."

Insert as section 5 the following :

Sec. 5. No corporation shall be formed under this act for the purpose of accumulating, storing, conducting, selling, furnishing and supplying water for domestic or municipal purposes to the cities of New York, Buffalo, Rochester and Kingston, or either of them.

Change "section 5" to "section 6."



Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 80 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Hurd	Roberts
Andrews	Crapser	Husted	Russell
Ash	Cullinan	Ingersoll	Seeley
Baker, B. F.	Curtis	Kennedy	Sheridan
Baker, C. S.	Davis	Liddle	Sherman
Beach	Deane	Lindsay	Shuit
Beates	Douglass	Low	Sisson
Bradley	Duell	McAvoy	Skinner
Brennan	Duguid	McDonald	Steele
Bridges	Ellis	Mead	Terpeny
Brodsky	Evans	Miller	Tormey
Bullock	Ferris	Mitchell	Tozier
Carpenter, E. A.	Fish	Mooers	Travis
Carpenter, I. S.	Fitzgerald	Morgan	Tully
Catlin	Gillette	Nowlan	Tuttle, R. M.
Chase	Gray	O'Brien	Warner
Childs	Griggs	Phillips	Waterbury
Clark	Grosse	Potter	Wells, D. A.
Clowes	Hayes	Potts	Wells, J. L.
Congdon	Howland	Rhodes	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned the bill entitled "An act making appropriations for the support of government," with a message that they have passed the same with the following amendments:

Page 5, line 17, add "*and for messenger, for salary three hundred and sixty dollars.*" Page 9, lines 24, 25, strike out "*April and,*" and insert in line 25, after "*October,*" "*and April.*" Same page, line 32, strike out "*six*" and insert "*seven.*" Page 11, line 32, after "*contract*" insert "*and continuing publication of the Colonial History of the State.*" Page 12, line 19, after "*thousand*" insert "*five hundred.*" Page 13, line 8, strike out "*twenty-six*" and insert "*thirty.*" Page 18, line 27, strike out "*six*" and insert "*seven.*" Page 20, lines 18, 19, strike out words "*payable from the United States deposit fund.*" Same page, line 20, insert "*payable from the United States deposit fund.*" Same page, line 36, strike out "*eighteen*" and insert "*thirty,*" and after "*dollars*" add "*and for establishing and conducting examinations \$5,000 in accordance with chapter 425 of the Laws of 1877.*" Page 21, line 20, after "*specified*" add the following: "*and the salaries named shall be established and fixed by this act for the several officers for whom they are designed; but the Comptroller shall not draw his warrant for the payment of the several amounts heretofore named, except for salaries and other expenditures and appropriations, the amounts of which are duly established and fixed by law, until the persons demanding them shall present to him a detailed statement, in items, of the same; and if such account shall be for services, it must show when, where and under what authority they were rendered; if for expenditures, when, where and under what authority they were made; if for articles furnished, when and where they were furnished,*"

to whom they were delivered and under what authority ; and if the demand shall be for traveling expenses, the account must also specify the distance traveled, the places of starting and destination, the duty or business, and the dates and items of expenditure. All accounts must be verified by an affidavit to the effect that the account is true, just and correct, and that no part of it has been paid, but is actually and justly due and owing. On all accounts for transportation, furniture, blank and other books, purchased for the use of office, binding, blanks, printing, stationery, postage, cleaning and other necessary and incidental expenses, a bill duly receipted must also be furnished ; and it shall be the duty of the Treasurer to report annually to the Legislature the details of these several expenditures."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

{ AYES 80 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Hayes	Phillips
Andrews	Crapser	Hoffman	Pitcher
Ash	Cullinan	Howland	Potts
Baker, B. F.	Curtis	Hurd	Roberts
Baker, C. S.	Cushing	Husted	Russell
Beach	Deane	Ingersoll	Sanders
Beates	Dougherty	Kennedy	Seeley
Benedict, E. D.	Douglass	Lefever	Shuit
Bennett	Duell	Liddle	Sipp
Bradley	Duguid	Low	Sisson
Brennan	Evans	McAvoy	Skinner
Bridges	Ferris	McCabe	Steele
Brodsky	Fish	Mead	Terpeny
Carpenter, E. A.	Fiske	Miller	Titus
Carpenter, I. S.	Fitzgerald	Mitchell	Tozier
Case	Gibbs	Moors	Tully
Catlin	Gillette	Morgan	Warner
Childs	Gray	Nowlan	Waterbury
Clowes	Griggs	O'Brien	Wells, D. A.
Comstock	Gwinup	O'Connor	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

A message from the Senate was received in the words following :

IN SENATE, *March 18, 1880.*

Pursuant to concurrent resolution of Senate and Assembly, the Governor returned the bill entitled "An act to amend chapter 777 of the Laws of 1870, entitled 'An act to incorporate the village of Walden, in the county of Orange,'" and the vote upon the final passage of the bill having been reconsidered, on motion of Mr. Madden said bill was amended as follows:

Section 4, strike out the following words: "at the next annual election subsequent to the passage of this act, two of the five trustees now elected shall hold over for one year, and three trustees shall be elected annually hereafter."

And as amended, passed and sent to the Assembly for concurrence.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members present voting in favor thereof.

{ AYES 80 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Howland	Shanley
Andrews	Cookinham	Hurd	Sheridan
Ash	Cullinan	Kennedy	Sherman
Baker, B. F.	Davis	Lefever	Shuit
Baker, C. S.	Deane	Liddle	Sipp
Beach	Dougherty	Low	Sisson
Beates	Douglass	McAvoy	Skinner
Benedict, E. D.	Duell	Mead	Tallmadge
Bradley	Duguid	Mitchell	Terpeny
Bridges	Ellis	Mooers	Titus
Brodsky	Evans	Morgan	Tozier
Bullock	Ferris	Nowlan	Travis
Carpenter, I. S.	Fish	O'Connor	Tully
Case	Fiske	Parker	Tuttle, R. M.
Catlin	Gillette	Peck	Van Valkenburgh
Chamberlain	Gray	Pitcher	Varnum
Chickering	Griggs	Potter	Wells, D. A.
Childs	Havens	Potts	Wells, J. L.
Clowes	Hayes	Russell	Weston
Comstock	Hoffman	Seeley	Youngs

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Ingersoll	Russell
Andrews	Curtis	Kennedy	Seeley
Ash	Cushing	Lefever	Sherman
Baker, B. F.	Davis	Liddle	Shuit
Baker, C. S.	Deane	Lindsay	Sipp
Beach	Douglass	McAvoy	Sisson
Beates	Duell	McCabe	Tallmadge
Benedict, E. D.	Duguid	Mead	Terpeny
Bradley	Ferris	Miller	Titus
Bridges	Fish	Mitchell	Tormey
Brodsky	Fitzgerald	Mooers	Tozier
Bullock	Gibbs	Morgan	Travis
Carpenter, E. A.	Gillette	Nowlan	Tully
Carpenter, I. S.	Gorsline	O'Brien	Tuthill, H. H.
Case	Gray	Parker	Tuttle, R. M.
Catlin	Gwinup	Phillips	Warner
Chamberlain	Hayes	Pitcher	Waterbury
Chickering	Hoffman	Potter	Wells, D. A.
Clowes	Howland	Potts	Wells, J. L.
Congdon	Hurd	Roberts	Weston
Cookinham	Husted	Root	Youngs
Crapeer			

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

A message was received from the Governor in words following :

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, March 23, 1880. }

*To the Assembly :*

In accordance with a joint resolution of the Senate and Assembly, herewith is returned, for amendment, Assembly bill No. 91, entitled "An act to provide for the improvement of private parks in the several cities of this State."

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dougherty	Lefever	Sherman
Andrews	Douglass	Liddle	Shuit
Ash	Duell	Lindsay	Sipp
Baker, B. F.	Duguid	McAvoy	Sisson
Baker, C. S.	Ellis	McCabe	Skinner
Beach	Evans	McCarthy	Slingerland
Beates	Ferris	Mead	Steele
Benedict, E. D.	Fish	Miller	Tallmadge
Brennan	Fitzgerald	Mitchell	Terpeny
Brotsky	Gibbs	Mooers	Tozier
Bullock	Gillette	Morgan	Travis
Carpenter, I. S.	Gorsline	Nowlan	Treanor
Catlin	Gray	O'Brien	Tully
Chamberlain	Griggs	O'Connor	Tuttle, R. M.
Chase	Gwinup	Parker	Van Valkenburgh
Chickering	Hayes	Phillips	Warner
Comstock	Hoffman	Pitcher	Waterbury
Congdon	Howland	Potts	Wells, D. A.
Cookinham	Hurd	Rhodes	Wells, J. L.
Cullinan	Husted	Russell	Weston
Curtis	Ingersoll	Sanders	Wiley
Cushing	Kennedy	Seeley	Youngs
Davis			

On motion of Mr. C. S. Baker, and by unanimous consent, said bill was amended in words following :

Section 1, line 1, strike out after word "of" "any one of;" make "cities" read "city," and insert "of Rochester;" line 2, after word "of" insert "all the;" line 3, after word "in" insert "said;" same line, strike out word "any;" line 6, after word "exceeding" insert "in any one year;" line 8, strike out word "such" and insert word "said;" line 9, after word "the," first occurring, insert "city;" same line, strike out word "the," second occurring, and insert "said." Strike out all of section 2; make "section 3" read "section 2." Amend the title by striking out word "several," and make "cities" read "city;" after word "city" insert "of Rochester."

Mr. Speaker put the question whether the House would agree to the

final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Kennedy	Sherman
Andrews	Curtis	Lefever	Shuit
Ash	Davis	Liddle	Sipp
Baker, B. F.	Deane	Lindsay	Sisson
Baker, C. S.	Dougherty	McAvoy	Skinner
Beach	Douglass	Mead	Slingerland
Beates	Duell	Miller	Steele
Benedict, T. E.	Duguid	Mitchell	Tallmadge
Brennan	Ellis	Mooers	Terpeny
Bridges	Evans	Morgan	Titus
Brodsky	Ferris	Newman	Tozier
Bullock	Fish	Nowlan	Travis
Carpenter, E. A.	Fitzgerald	O'Brien	Tully
Carpenter, I. S.	Gibbs	Parker	Van Valkenburgh
Catlin	Gillette	Phillips	Warner
Chase	Gorline	Pitcher	Waterbury
Chickering	Griggs	Potter	Wells, D. A.
Childs	Hayes	Potts	Wells, J. L.
Clowes	Hoffman	Rhodes	Weston
Comstock	Howland	Roberts	Wiley
Congdon	Hurd	Russell	Youngs
Cookinham	Ingersoll	Seeley	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

The Senate returned the bill entitled "An act to ascertain the citizens of the various towns of Kings county who shall be entitled to the right of suffrage therein," with a message that they have concurred in the passage of the same with the following amendments:

In section 1, line 2, of engrossed bill, strike out the word "*the*" and insert "*any*." Same section, line 3, strike out the words "*of Kings*;" same line, after the word "*State*" insert "*having a population of over three hundred thousand according to the last census.*" In section 3, line 3, strike out the word "*sixty*" and insert "*thirty*." Insert the following as section 10:

"Section 10. On the Saturday preceding the day of election, it shall be the duty of the said registers of election to hold a meeting, from four to ten o'clock P. M., for the revising and correcting the registries of election, to receive testimony, and arrange for challenge at the polls; but no name shall be added to any registry at such meeting, except upon proper proofs being furnished that the person applying for registration was sick or absent from the town on all days when the said registers had theretofore met for the purpose of registering votes."

Make sec. 10, sec. 11; sec. 11, sec. 12; sec. 12, sec. 13; sec. 13, sec. 14; sec. 14, sec. 15; sec. 15, sec. 16; and sec. 16, sec. 17.

Amend title to read as follows:

"An act to ascertain the citizens of the several towns in any county of this State having a population of over three hundred thousand,

according to the last census, who shall be entitled to the right of suffrage therein."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative.

{ AYES 82 }  
{ NOES 25 }

Those who voted in the affirmative, were .

Alvord	Cookinham	Ingersoll	Seeley
Andrews	Crapser	Lefever	Sheridan
Ash	Cullinan	Liddle	Sherman
Baker, B. F.	Curtis	Lindsay	Shuit
Baker, C. S.	Davis	Low	Sipp
Beach	Deane	McCabe	Sisson
Beates	Douglass	Miller	Skinner
Bradley	Duell	Mitchell	Slingerland
Brennan	Duguid	Morgan	Steele
Bridges	Ellis	Nowlan	Tallmadge
Brodsky	Evans	O'Brien	Titus
Bullock	Ferrie	Peck	Tozier
Carpenter, E. A.	Fish	Phillips	Travis
Carpenter, I. S.	Fiske	Pitcher	Tuthill, H. H.
Chamberlain	Gillette	Potter	Varnum
Chickering	Gorsline	Potts	Wells, D. A.
Childs	Griggs	Roberts	Wells, J. L.
Clark	Grosse	Root	Weston
Clowes	Howland	Russell	Younge
Comstock	Hurd	Sanders	Mr. Speaker
Congdon	Husted		

Those who voted in the negative, were

Benedict, E. D.	Fitzgerald	McCarthy	Strait
Benedict, T. E.	Gibbs	McTernan	Thiemann
Bennett	Gwinup	Newman	Tormey
Catlin	Havens	Parker	Treanor
Cohen	Hoffman	Rhodes	Tully
Cushing	McAvoy	Shanley	Wiley
Dougherty			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned the bill entitled "An act to amend chapter 435 of the Laws of 1868, entitled "An act to incorporate the village of Hamilton, in the county of Madison, and to repeal its present charter," as amended by chapter 166 of the Laws of 1877, and by chapter 19 of the Laws of 1878," with a message that they have concurred in the passage of the same, with the following amendments:

Page 2 of engrossed bill, strike out "*and one trustee who shall hold his office for one year.*"

Page 7, strike out "The valuation of the taxable property shall be ascertained as far as possible from the last assessment roll of the town of Hamilton."

Page 12, strike out "The valuation of taxable property shall be ascertained as far as possible from the last assessment roll of the town of Hamilton."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Lefever	Russell
Andrews	Crapeer	Liddle	Seeley
Ash	Curtis	Lindsay	Sherman
Baker, B. F.	Davis	McAvoy	Shuit
Baker, C. S.	Deane	McTernan	Sipp
Beach	Douglass	Mead	Sisson
Beates	Duell	Miller	Skinner
Benedict, E. D.	Duguid	Mitchell	Slingerland
Benedict, T. E.	Evans	Mooers	Steele
Bradley	Ferris	Morgan	Tallmadge
Brennan	Fish	Newman	Terpeny
Brodskey	Gillette	Nowlan	Titus
Bullock	Gorsline	O'Brien	Tozier
Carpenter, E. A.	Griggs	Peck	Tuttle, R. M.
Carpenter, I. S.	Hayes	Phillips	Varnum
Catlin	Hoffman	Pitcher	Warner
Chamberlain	Howland	Potter	Waterbury
Chickering	Hurd	Potts	Wells, D. A.
Clowes	Husted	Roberts	Weston
Comstock	Ingersoll	Root	Youngs
Congdon	Kennedy		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned the bill entitled "An act to amend chapter 116 of the Laws of 1862, entitled 'An act to appoint a trustee to receive and hold the bequest of Levi Farr, deceased, for the benefit of school district No. 4, in the town of Greene, Otsego county,'" with a message that they have concurred in the passage of the same, with the following amendments.

Strike out all of sections 2, 3, 4, 5, 6, 7 and 8.

Amend the title by striking out the words "section one of" in line 2.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative.

{ AYES 77 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Hurd	Sherman
Andrews	Curtis	Kennedy	Shuit
Ash	Cushing	Lefever	Sipp
Baker, C. S.	Davis	Liddle	Sisson
Beates	Deane	McAvoy	Skinner
Benedict, E. D.	Dougherty	McCabe	Slingerland
Bradley	Duell	Miller	Steele
Brennan	Duguid	Mitchell	Strait
Brodskey	Evans	Mooers	Tallmadge
Bullock	Ferris	Nowlan	Titus
Carpenter, E. A.	Fish	O'Connor	Tozier
Catlin	Gillette	Peck	Travis
Chamberlain	Gorsline	Phillips	Tuttle, R. M.
Chase	Gray	Pitcher	Van Valkenburgh
Chickering	Griggs	Potter	Warner
Clowes	Grosse	Potts	Waterbury

Comstock  
Congdon  
Cookinham  
Crapser

Hayes  
Hoffman  
Howland

Root  
Russell  
Sanders

Wells, J. L.  
Wiley  
Youngs

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate sent for concurrence the bill entitled "An act to amend chapter 117 of the Laws of 1853, entitled 'An act to authorize the formation of corporations for the erection of buildings,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

*Report of the sub-committee of the whole.*

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 192, printed No. 178, entitled "An act to provide for the revision, amendment and consolidation of the act entitled 'An act to provide for the enrollment of the militia, for the organization of the national guard of the State of New York, and for the public defense, and entitled 'the Military Code,' and of all acts amendatory thereof and supplemental thereto, or relating to the organization and government of the militia of the State,'" reported in favor of the passage of the same with amendments as follows:

Section one, on line one, strike out the word "two" and insert "three."

Section three, on line one, strike out word "two" and insert "three."

Section four, on line one, strike out word "two" and insert "three."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 179, printed No. 166, entitled "An act to provide for the refunding of a portion of the bonded debt of the town of Westchester, in the county of Westchester, and to restrict the power of the town officers to bond the said town, except as provided in chapter one hundred and ninety-three of the Laws of eighteen hundred and seventy-seven," reported in favor of the passage of the same without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly No. 150, G. O. 162, entitled "An act in relation to the jurisdiction of the district courts of the city of New York," reported in favor of the passage of the same, with an amendment as follows:

Section one, line three, after the word "place" insert the words "of business."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill No. 160, G. O. 173, entitled "An act to provide for the election of a town treasurer in the town of Gravesend, in the county of Kings, and to regulate and prescribe the duties of said officer," reported in favor of the passage of the same without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 316, printed No. 293, entitled "An act in relation to the superintendents of the poor of the county of West-



chester, and the keeper of the county-house in said county," reported in favor of the passage of the same, with an amendment as follows:

To add at the end of the first section the words "and no election for superintendent of poor, in and for said county, shall take place until the time stated in the second section of this act."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 274, printed No. 254, entitled "An act to amend chapter four hundred and fifty-six of the Laws of eighteen hundred and seventy-nine, entitled 'An act to prevent the deposit of mud, earth, soil, ashes or refuse in the North or Hudson river, and to prevent the filling up the navigable waters of said river, and to preserve the navigation thereof,'" passed May twentieth, eighteen hundred and seventy-six, reported in favor of the passage of the same without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 317, printed No. 294, entitled "An act to enable the respective towns in the county of Rensselaer to reduce the number of its town officers," reported in favor of the passage of the same, with amendments as follows:

Section one, line four, strike out the words "or resolution."

Section two, on line three, strike out the words "or resolution;" also, on lines four and five, strike out the words "or resolution."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 344, printed No. 318, entitled "An act to authorize the town of Madrid, in the county of St. Lawrence, to borrow money for the completion of the water-works in the village of Madrid, and for other purposes," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 346, printed No. 320, entitled "An act to legalize the official acts of Samuel Williams, a justice of the peace of Bridgewater, in the county of Oneida," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 352, printed No. 326, entitled "An act to legalize the acts of George M. Warren, a justice of the peace of the town of Wheatfield, Niagara county," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 149, printed No. 140, entitled "An act to amend chapter five hundred and eighty-nine of the Laws of eighteen hundred and seventy-five, entitled 'An act to extend the powers of the trustees of the village of Wilson, in the county of Niagara,'" reported in favor of the passage of the same, with amendments as follows:

Section one, to strike out lines five and six, and down to and including the word "village" in line seven, and insert:

13. The trustees shall, upon a petition duly signed by a majority of the property owners on the line of the proposed improvement, have power to make, or order and direct the making, of sidewalks in the streets, lanes or alleys of said village; and when they shall deem it for the best interest of said village said trustees shall have power to rebuild or repair, or order and direct the rebuilding or repairing, of any sidewalks in the streets, lanes or alleys of said village.

Also, in line nine, after the word "repaired" insert the words "as aforesaid."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 221, printed No. 204, entitled "An act to incorporate the fire department of the village of Waterloo," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 222, printed No. 205, entitled "An act to amend section five, title three of chapter two hundred and ninety-one, Laws of eighteen hundred and seventy, entitled 'An act for the incorporation of villages,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 169, printed No. 157, entitled "An act to prevent the bribing and corrupting of officers of the Seneca Nation of Indians," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 275, printed No. 255, entitled "An act to enable the Alanson Methodist Episcopal Church of the city of New York to transfer and convey certain real property," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 262, printed No. 244, entitled "An act to amend section one of chapter four hundred and ninety-eight of the Laws of eighteen hundred and seventy-two, entitled 'An act for the protection of livery-stable keepers and other persons keeping horses at livery or pasture,'" reported in favor of the passage of the same, with an amendment.

To add at the end of section one the following: "May at any time maintain an action in any of the courts of this State to enforce such lien and procure a sale of the said horses and other animals for the payment of said keeping, pasture and board, and the costs of such action, whenever such sum shall exceed fifty dollars."

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill printed No. 51, G. O. 156, entitled "An act to authorize the police department or board of police of any city to appoint policemen of district telegraph companies," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 330, printed No. 307, entitled "An act to amend an act entitled 'An act supplementary to chapter two hundred and seventy-three of the Laws of eighteen hundred and sixty-six, entitled 'An act authorizing the incorporation of associations to erect monuments to perpetuate the memory of soldiers who fell in defense of the Union,'" passed April fourteenth, eighteen hundred and seventy-seven, reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill printed No. 163, G. O. 176, entitled "An act to amend chapter thirty-four of the Session Laws of eighteen hundred and seventy-six, entitled 'An act to provide for the payment of a portion or the whole of the bounty debt of the county of Greene, by issuing new bonds, passed February twenty-eighth, eighteen hundred and

seventy-six," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill printed No. 341, G. O. 367, entitled "An act to enable the town of Newtown, in Queens county, to fund a portion of its bonded debt at a reduced rate of interest," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill printed No. 146, G. O. 157, entitled "An act to amend an act entitled 'An act for the better prevention of the procurement of abortions and other like offenses, and to amend the laws relative thereto,' being chapter one hundred and eighty-one of the Laws of eighteen hundred and seventy-two," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill printed No. 132, G. O. 139, entitled "An act to amend section eleven hundred and seventy-six of article one of title five of the Code of Civil Procedure," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill printed No. 270, G. O. 292 entitled "An act to change the present number of overseers of the poor of the town of Hempstead, Queens county, from three to one," reported in favor of the passage of the same, with amendments as follows:

Section one, line three, strike out the words "but one overseer," and insert "two overseers;" line four, strike out words "two years, and until his successor has," and insert "one year, and until their successors have;" line five, strike out word "him," and insert "them;" line six, add letter "s" to end of word "overseer;" line eight, strike out words "two years," and insert "year;" strike out lines nine, ten and eleven.

Section two, line one, strike out words "the said overseer," and insert "each of the said overseers of the poor;" line eleven, add letter "s" to the word "overseer," and also insert, after the word "poor," "or either of them;" line twelve, after the word "his," insert "or their."

Section three, line one, add letter "s" to word "overseer;" line three, after word "exhibit," insert "their and each of their;" line four, strike out word "approval," and insert "audit;" line five, strike out "twenty," and insert "ten," also, word "his," and insert "or their."

Also amend the title, so that it will read "An act in relation to the overseers of the poor of the town of Hempstead, Queens county."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill printed No. 253, G. O. 273, entitled "An act to authorize the railroad commissioners of the town of Lowville, in Lewis county, to take up certain bonds which, under chapter fourteen, section four of Laws of eighteen hundred and seventy-two, may be taken up, and to issue others in place of said bonds at a lower rate of interest," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill printed No. 233, G. O. 250, entitled "An act to amend section ninety of chapter four hundred and twenty-six of

the Laws of eighteen hundred and forty-seven, entitled 'An act to provide for the incorporation of villages,' reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill printed No. 192, G. O. 208, entitled "An act to further amend chapter four hundred and ninety-one of the Laws of eighteen hundred and seventy-one, entitled 'An act to provide for the relief and support of the poor of the county of Kings, and to change the name of the office of the superintendents of the poor therein to the office of the commissioners of charities of the county of Kings,' passed April fourteenth, eighteen hundred and seventy-one," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill printed No. 277, G. O. 300, entitled "An act conferring additional powers upon the board of supervisors of the county of Franklin," reported in favor of the passage of the same, with an amendment as follows :

Section one, line fifteen, after the word "borrow" insert "for the purposes aforesaid."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 268, printed No. 250, entitled "An act to authorize the change of course of the east branch of the Eighteen Mile creek, in the town of Hartland, in the county of Niagara, in the State of New York," reported in favor of the passage of the same, without amendment.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

*Ordered*, That said bills be engrossed for a third reading.

Also reported the following:

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 278, printed No. 258, entitled "An act to amend an act entitled 'An act to incorporate the Domestic and Foreign Missionary Society of the Protestant Episcopal Church of the United States of America,' " passed May thirteen, eighteen hundred and forty-six, reported in favor of the passage of the same, with amendments as follows :

Strike out all after the enacting clause, and insert the following :

SECTION 1. The first section of the act entitled "An act to incorporate the Domestic and Foreign Missionary Society of the Protestant Episcopal Church of the United States of America," passed May thirteen, in the year eighteen hundred and forty-six, is hereby amended so as to read as follows :

§ 1. All such persons as now are or may hereafter become members of the Domestic and Foreign Missionary Society of the Protestant Episcopal Church in the United States of America, originally instituted in the year eighteen hundred and twenty, and fully organized by the general convention of the said church in the year eighteen hundred and thirty-five, shall be and are hereby constituted a body corporate for the purposes of conducting general missionary operations in all lands by the name aforesaid. Nothing herein shall affect the power of the said convention to make such rules and regulations or so to alter or amend the constitution of the said society, as the said convention shall deem necessary or proper to promote the purposes for which the said society is incorporated as aforesaid.

§ 2. This act shall take effect immediately.

Also to amend the title so it shall read :

An act to amend chapter three hundred and thirty-one of the Laws of eighteen hundred and forty-six, entitled "An act to incorporate the Domestic and Foreign Missionary Society of the Protestant Episcopal Church of the United States of America."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 452, printed No. 414, entitled "An act to provide for the publication of the names of referees, receivers, auditors and other officers of courts in the city and county of New York," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 181, printed No. 170, entitled "An act to amend chapter three hundred and sixty-three of the Laws of eighteen hundred and seventy-eight, entitled 'An act in relation to the regrading and paving of Grand street, from Union avenue to Bushwick avenue, in the city of Brooklyn, with Belgian pavement,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 325, printed No. 302, entitled "An act to release all that part of the waters of the Wallkill creek and its inlets lying and being in the county of Ulster, from the operation of the provisions of sections twenty-three, twenty-four and twenty-six of chapter five hundred and thirty-four of the Laws of eighteen hundred and seventy-nine, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,'" passed June twentieth, eighteen hundred and seventy-nine, reported in favor of the passage of the same, with amendments as follows :

Strike out all after the enacting clause, and insert :

SECTION 1. Section twenty-one of chapter five hundred and thirty-four of the Laws of eighteen hundred and seventy-nine, entitled "An act for the preservation of moose, wild deer, birds, fish and other game," is hereby amended so as to read as follows :

§ 21. No person shall catch or kill any black bass in the waters of Lake Mahopac or Dutchess county between the first day of January and the first day of July, or Lake George between the first day of January and the twentieth day of July, or catch, kill, or expose for sale, or have in his or her possession after the same has been killed, any black bass or striped bass weighing less than one-half pound at any time, or any black bass, Oswego bass, or muscalonge in any other waters of the State between the first day of January and the first day of June, unless alive for artificial propagation, or the stocking of other waters, except in the waters of the Wallkill creek and its inlets lying in and running through the county of Ulster, and except that bass and muscalonge may be caught in the St. Lawrence, Clyde, Seneca and Oswego rivers, Lake Erie, Lake Ontario, Lake Conesus and Niagara river above Niagara Falls, on the American side, between the twentieth day of May and the first day of January ; nor shall any person catch or kill any black bass in the waters of Schróon lake or river, or Paradox lake in the counties of Essex or Warren, between the first day of January and the first day of July. Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and in addition thereto shall be liable to a penalty of ten dollars for each fish.

§ 2. Section twenty-three of said act is hereby amended so as to read as follows :

§ 23. No person shall kill or catch, or attempt to kill or catch, any fish, except minnows, bullheads, eels, suckers and catfish in any of the fresh waters or canals in this State, or in the American waters of the St. Lawrence river, or in the waters of the Niagara river, on the American side, between the falls of said river and Lake Erie, in any way or manner, or by any device whatever, except that of angling with hook and line, save only in the following waters, viz.: The Hudson river below the dam at Troy; Black lake in the county of St. Lawrence; St. Regis river, Grass river and Racket river below the line of the Ogdensburgh and Lake Champlain railroad; the Wallkill creek and its inlets in the county of Ulster; and in Lake Ontario, except Great Sodus bay, Port bay, East bay, in the county of Wayne; Henderson harbor or Henderson bay, in the county of Jefferson; and also, except in Lake Otsego, and also, except in Lake Champlain during the month of October and the first fifteen days in November. No person shall knowingly sell, or purchase, or have in his or her possession, any fish killed, caught or taken from any such waters contrary to the provisions of this section. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and in addition thereto shall be liable to a penalty of twenty-five dollars for each and every such offense, and all nets, seines, traps, weir or other devices forbidden by this section are hereby declared contraband, and any person finding the same in any place where they are forbidden is hereby authorized to destroy such contraband articles, and no action for damages shall lie against him for such destruction.

§ 3. Section twenty-six of said act is hereby amended so as to read as follows :

§ 26. No person shall fish in any of the waters or canals of this State with seines, gill nets or fykes, the meshes of which shall be less than two and one-half inches, except in the following waters: In the waters of the Wallkill creek and its inlets lying in, and running through the county of Ulster, fykes may be used with suitable meshes for the purpose of catching and taking from said waters any fish inhabiting the same, from the first day of October until the first day of May. No person or persons, however, belonging to one and the same family, shall place in and maintain in said waters more than three fykes at one time for the purpose of catching fish of any kind, or for any purpose; in the waters over which Richmond county has civil jurisdiction, the meshes shall not be less than two inches; in the bays and salt water estuaries and rivers of Long Island, not less than two and one-half inches; but this prohibition shall not apply to nets used in taking "menhaden," nor to pounds where they are permitted by law; in the Hudson river below the dam at Troy, Lake Erie and Lake Ontario, the meshes shall not be less than four and one-half inches; in Coney Island creek to the mouth thereof, extending out into Gravesend bay one-half mile each way, the meshes of which shall be four inches square, except that for eel and flounder fishing, hoop nets with suitable meshes may be used within said bay between the fifteenth day of October and the first day of April. No person shall set or take any fish by any device known as pound or trap-net in the waters of Great South bay and the waters of Lake Erie, or bring any fish so taken in such waters to the shore along the same, or be engaged in procuring

or preparing for market any such fish or any part thereof, or exposing fish taken in such nets for sale in the counties bordering on such waters. Nothing in this section shall be construed as permitting the drawing of seines in the waters of the Hudson river between the upper dock at the village of Sing Sing and Croton landing, in the town of Cortland, nor in any of the waters between the above-named points, nor in any portion of the Croton river, between the first day of June and the first day of October of any year, which drawing is hereby expressly forbidden. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor, and in addition thereto shall be liable to a penalty of fifty dollars.

§ 4. This act shall take effect immediately.

Also to amend the title so that it will read:

An act to amend chapter five hundred and thirty-four of the Laws of eighteen hundred and seventy-nine, entitled "An act for the preservation of moose, wild deer, birds, fish and other game."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 348, printed No. 322, entitled "An act providing for the verification of pleadings in the justices' court," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 318, printed No. 295, entitled "An act to abolish the office of railroad commissioners of the town of Augusta, in the county of Oneida, and to authorize the supervisor of said town to discharge the duties now pertaining to said office," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 254, printed No. 236, entitled "An act to amend section eight of chapter five hundred and thirty-four of the Laws of eighteen hundred and seventy-nine, entitled 'An act for the preservation of moose, wild deer, birds, fish, and other game,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 243, printed No. 216, entitled "An act to authorize the treasurer of Steuben county to sell property for unpaid taxes," reported in favor of the passage of the same, with an amendment as follows:

Section one, line two, strike out the words "all unpaid taxes upon lands in said county," and to add at the end of the section the words "All taxes levied upon lands in said county for State and county purposes which shall remain uncollected for want of goods or chattels of the person against whom said tax was assessed, and all unpaid taxes upon non-resident lands in said county."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 165, printed No. 153, entitled "An act to declare Independence river and its tributaries in Lewis and Herkimer counties a public highway," reported in favor of the passage of the same, with an amendment as follows:

Section two, line one, strike out the word "enter" and insert "with."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 510, not printed, entitled "An act to amend chapter three hundred and seventy-one of Laws of eighteen hundred and seventy-five, entitled 'An act to conform the charters of all

savings banks or institutions for savings to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for their supervision and for the administration of their affairs," reported in favor of the passage of the same without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 303, printed No. 280, entitled "An act to amend chapter five hundred and fifteen of the Laws of eighteen hundred and seventy-one, entitled 'An act to prevent fraud in auction sales, and fraudulent conduct on the part of auctioneers in the cities of New York and Brooklyn,'" reported in favor of the passage of the same, with amendments as follows:

Section one, line ten, after the word "auction" insert "or who shall render or cause to be made, or who shall knowingly allow any false or fictitious bids thereon;" in line twenty-five, after the word "the," strike out all down to and including the word "annum," on the twenty-seventh line, and insert "comptroller of the city;" line twenty-nine, strike out the word "twenty" and insert "ten;" line thirty-two, after the word "shall" insert "after due examination."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 451, printed No. 413, entitled "An act relating to referees, receivers, auditors and other officers appointed by the court, within the counties of New York and Kings," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 227, printed No. 210, entitled "An act to amend an act entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" reported in favor of the passage of the same, with amendments as follows:

To add at the beginning of section one the words "chapter four hundred and eighty-two of the Laws of eighteen hundred and seventy-five, entitled;" line three strike out the words "as an," and insert "the following;" strike out at the end of the section the words "the following."

To amend the title so that it will read:

"To amend chapter four hundred and eighty-two of the Laws of eighteen hundred and seventy-five, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors.'"

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 334, printed No. 309, entitled "An act to incorporate the board of trustees of the fire department of the city of Troy," reported in favor of the passage of the same without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 160, printed No. 149, entitled "An act requiring certain bonds and undertakings to be recorded," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 255, printed No. 237, entitled "An act for the preservation of fish in the waters of Loon lake, in the county of Steuben," reported in favor of the passage of the same, without amendment.



Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 267, printed No. 249, entitled "An act to amend an act entitled 'An act to prevent certain abuses upon the canals of this State,'" reported in favor of the passage of the same, with an amendment.

To amend the title so that it will read :

To amend section one of chapter four hundred and three of the Laws of eighteen hundred and seventy-nine of an act entitled "An act to prevent certain abuses upon the canals of this State."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

*Ordered*, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Potter introduced a bill "In relation to the bonded indebtedness of the town of Saratoga, in the county of Saratoga," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

By unanimous consent,

Mr. Griggs offered for the consideration of the House a resolution in the words following :

*Resolved*, That Senate bill No. 21, entitled "An act to amend chapter 446 of the Laws of 1874, entitled 'An act to revise and consolidate the statutes of the State relating to the care and custody of the insane, the management of the asylums for their treatment and safe-keeping, and the duties of the State Commissioner in Lunacy,'" be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. E. A. Carpenter offered for the consideration of the House a resolution in the words following :

*Resolved*, That bill No. 334, entitled "An act to authorize Henry Fordham and George W. Tuttle to establish, maintain and operate a ferry across the Great South bay, in Suffolk county," be committed to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Pursuant to ninth joint rule, Mr. Speaker announced order of business, third reading of bills.

The bill entitled "An act to provide for the compilation and revision of the laws of the State of New York affecting banks, banking and trust companies," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Comstock	Hagan	Sanders
Andrews	Cookinham	Hayes	Seeley
Ash	Crapsier	Hoffman	Shanley
Baker, B. F.	Cullinan	Howland	Sheridan
Baker, C. S.	Curtis	Hurd	Shuit

Beach	Cushing	Husted	Sipp
Beates	Davis	Ingersoll	Sisson
Benedict, E. D.	Deane	Kennedy	Skinner
Benedict, T. E.	Douglass	Lefever	Steele
Bradley	Duell	Lindsay	Strait
Brennan	Duguid	Low	Tallmadge
Bridges	Ellis	McAvoy	Terpeny
Brodsky	Evans	McCarthy	Thilemann
Bullock	Ferris	Mead	Titus
Carpenter, E. A.	Fish	Mitchell	Tormey
Catlin	Fiske	Morgan	Tozier
Chamberlain	Gibbs	Parker	Tully
Chase	Gorsline	Peck	Tuthill, H. H.
Chickering	Gray	Potter	Tuttle, R. M.
Childs	Griggs	Roberts	Wells, D. A.
Clark	Grosse	Root	Wells, J. L.
Clowes	Gwinup	Russell	Weston

Those who voted in the negative, were

Cohen

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker presented the Annual Report of the Superintendent of the Bank Department; which was laid on the table and ordered printed.

(See Doc. No. .)

On motion of Mr. Skinner, and by unanimous consent, one week's time was granted to the railroad committee to report the bill in reference to discrimination of freight on railroads.

The hour of two having arrived, the House adjourned.

## THURSDAY MORNING, MARCH 25, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Charles A. Conklin, of Troy.

The journal of yesterday was read and approved.

Privileges of the floor were granted to Hon. S. R. Wicke.

Leave of absence was granted to Mr. Congdon until next week.

The Speaker presented a list of bills, selected by Speaker and Clerk, to the sub-committee of the whole in words following:

No. 188, Int. 31, G. O. 203, Mr. Roberts: "An act to amend chapter 716 of the Laws of 1868, entitled 'An act to provide a water supply in the city of Buffalo.'"

No. 190, Int. 34, G. O. 205, Mr. Roberts: "An act to repeal chapter 829 of the Laws of 1873, entitled 'An act to empower the board of water commissioners of the city of Buffalo, together with the common council of said city, to establish or designate free public hydrants in said city and providing for the appointment of water commissioners in said city.'"

No. 224, Int. 262, G. O. 241, Mr. Clancy: "An act to provide for the payment of certain assessments on property of the Bridge Street African Methodist Episcopal Church of the city of Brooklyn."

No. 339, Int. 624, G. O. 366, Mr. Sharpe: "An act to amend section

11 of an act entitled 'An act to incorporate the Society for the Relief of Half Orphan and Destitute Children in the city of New York.'

No. 349, Int. 643, G. O. 375, Mr. Treador: "An act for the better protection of cartmen and others engaged in the removal of household furniture and other property in the city of New York."

No. 350, Int. 115, G. O. 376, Mr. Mitchell: "An act concerning the supply of pure and wholesome water for the city of New York."

No. 356, Int. 665, G. O. 384, Mr. Phillips: "An act to authorize the treasurer of Orleans county to sell property for unpaid taxes."

No. 357, Int. 576, G. O. 385, Mr. Fiske: "An act to regulate the taking of clams and oysters in the waters of the State of New York on the north side of Staten Island."

No. 358, Int. 570, G. O. 387, Mr. Hoffman: "An act to amend an act entitled 'An act to amend the charter of the village of Horseheads, Chemung county,' passed April 14, 1855, and the several acts amendatory thereof, by annexing the following sections."

No. 359, Int. 519, G. O. 388, Mr. Waterbury: "An act to incorporate Excelsior Hose Company No. 1 of the village of Warwick, New York."

No. 366, Int. 640, G. O. 397, Mr. Kennedy: "An act to amend chapter 196 of the Laws of 1835, entitled 'An act to incorporate the village of Mount Morris.'"

No. 371, Int. 690, G. O. 403, Mr. Comstock: "An act to amend chapter 271 of the Laws of 1834, entitled 'An act for establishing a justices' court in the city of Troy,' passed May 5, 1834, and the several acts amendatory thereof and supplemental thereto, and also to amend chapter 56 of the Laws of 1848, entitled 'An act to provide for the election of the justices and the clerk of the justices' court in and for the city of Troy, and the appointment of a marshal,' passed February 28, 1848, and the several acts amendatory thereof and supplemental thereto, and also to amend chapter 18 of the Laws of 1876, entitled 'An act in relation to the police court and justices' court of the city of Troy,' passed February 11, 1876."

No. 373, Int. 719, G. O. 407, Mr. Husted: "An act to enable the Forsyth Street Methodist Episcopal Church to transfer its real estate to trustees."

By unanimous consent said bill was read a third time.

No. 373, Int. 648, G. O. 409, Mr. Catlin: "An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game.'"

No. 376, Int. 599, G. O. 410, Mr. Kennedy: "An act to amend section 37, chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish, and other game,' passed June 20, 1879."

No. 377, Int. 279, G. O. 411, Mr. Young: "An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game.'"

No. 378, Int. 713, G. O. 412, Mr. Tozier: "An act to amend an act entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,' passed June 20, 1879."

No. 379, Int. 575, G. O. 413, Mr. Waterbury: "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages.'"

No. 380, Int. 579, G. O. 414, Mr. Titus: "An act to transfer to

Cornell University the securities, moneys and contracts constituting and relating to the Cornell Endowment Fund."

No. 395, Int. 654, G. O. 431, Mr. Hurd: "An act to legalize the official acts of the supervisor of the town of Eden, Erie county, performed instead of commissioners, provided for by chapter 907 of the Laws of 1869."

No. 396, Int. 661, G. O. 432, Mr. Tuttle: "An act to exempt the town of Erwin, in the county of Steuben, from the provisions of chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties,' and from the provisions of chapter 223 of the Laws of 1878, entitled 'An act regulating the term of office of supervisors in the counties of Otsego, Steuben and Livingston.'"

No. 399, Int. 688, G. O. 435, Mr. Travis: "An act to amend chapter 245 of the Laws of 1878, entitled 'An act to amend article 5 of title 1, chapter 16 of part 1 of the Revised Statutes,' as to highways."

No. 403, Int. 717, G. O. 441, Mr. Hurd: "An act to change the name of Hamburg Cemetery Association to Prospect Lawn Cemetery Association, and to legalize certain acts of said association."

No. 405, Int. 737, G. O. 443, Mr. Skinner: "An act to legalize the acts of Franklin C. Whitney as a notary public."

No. 406, Int. 715, G. O. 444, Mr. J. L. Wells: "An act extending the provisions and benefits of the mechanics' lien laws to excavations, dredging or substructure for wharves, piers, or slips between such wharves or piers, and to the construction, deepening or improvement of any water-course, channel or basin."

No. 497, Int. 175, G. O. 564, Mr. Bradley: "An act to amend, in respect to sidewalks, section 4 of title 3, and section 6 of title 4 of an act entitled 'An act for the incorporation of villages,' passed April 20, 1870."

No. 408, Int. 636, G. O. 446, Mr. Travis: "An act to provide for the bringing of actions for relief in certain cases where agreements, contracts and instruments in writing have been recorded."

No. 410, Int. 228, G. O. 448, Mr. Varnum: "An act to legalize the acts of James M. Townsend, Jr., as notary public."

No. 416, Int. 684, G. O. 454, Mr. Young: "An act to amend section 3 of chapter 312 of the Laws of 1838, entitled 'An act to appoint trustees of the Jones fund for the support of the poor of the towns of Oyster Bay and North Hempstead, in the county of Queens.'"

No. 419, Int. 401, G. O. 460, Mr. Duell: "An act amending the Code of Civil Procedure."

No. 420, Int. 321, G. O. 461, Mr. Mitchell: "An act to limit commitments of children in the city and county of New York."

No. 421, Int. 666, G. O. 462, Mr. Mitchell: "An act to simplify the proof of the Sanitary Code in the city of New York."

No. 425, Int. 345, G. O. 466, Mr. Fitzgerald: "An act relative to the pay of policemen and firemen in the city of New York injured or disabled while in actual discharge of their duties."

No. 426, Int. 755, G. O. 468, Mr. J. L. Wells: "An act to authorize the lighting of public streets and avenues in the town of Westchester, in the county of Westchester."

No. 427, Int. 751, G. O. 469, Mr. Curtis: "An act to exempt the town of Greene, Chenango county, from the provisions of chapter 175 of the Laws of 1870, entitled 'An act creating a board of town

auditors in the several towns of this State, and to prescribe their powers and duties.”

No. 428, Int. 596, G. O. 471, Mr. Parker: “An act to amend an act entitled ‘An act to incorporate the village of Coxsackie,’ passed April 5, 1867.”

No. 429, Int. 679, G. O. 472, Mr. Cookinham: “An act to amend chapter 291 of the Laws of 1870, entitled ‘An act for the incorporation of villages.’”

No. 430, Int. 620, G. O. 473, Mr. Chase: “An act to amend chapter 240, Laws of 1827, entitled ‘An act for incorporating an aqueduct association in the village of Cooperstown, in the county of Otsego.’”

No. 431, Int. 703, G. O. 474, Mr. Morgan: “An act authorizing the village of Wellsville, New York, to appropriate portions of its highway moneys to the laying of stone sidewalks.

No. 433, Int. 468, G. O. 478, Mr. Clowes: “An act to amend chapter 268 of the Laws of 1877, entitled ‘An act in relation to the collection of taxes and the sales of land therefor in certain towns in Queens county.’”

No. 436, Int. 348, G. O. 482, Mr. Cullinan: “An act to amend an act entitled ‘An act for the preservation of moose, wild deer, birds, fish and other game,’ passed June 20, 1879.”

No. 438, Int. 515, G. O. 484, Mr. Terpeny: “An act for the relief of Young Men’s Hebrew Association of Harlem.”

No. 442, Int. 749, G. O. 488, Mr. Terpeny: “An act in relation to arrears of taxes in the city of New York, and to provide for the re-issuing of revenue bonds in anticipation of such taxes.”

No. 443, Int. 642, G. O. 489, Mr. Travis: “An act to amend chapter 458 of the Laws of 1875, entitled ‘An act to amend chapter 807 of the Laws of 1873, entitled ‘An act concerning notaries public in the counties of Kings, Queens, Richmond, Westchester and Rockland, and in the city and county of New York, and authorizing them to exercise the functions of their office therein.’”

No. 444, Int. 505, G. O. 490, Mr. Husted: “An act authorizing physicians of the different medical schools to meet in consultation.”

No. 445, Int. 478, G. O. 491, Mr. Fish: “An act to legalize the acts of Henry Stork as justice of the peace.”

No. 446, Int. 362, G. O. 492, Mr. Andrews: “An act in relation to the payment of costs on arrest, trial and punishment for crimes and misdemeanors in villages, and in relation to the civil jurisdiction of police justices therein.”

No. 447, Int. 709, G. O. 493, Mr. Case: “An act to amend section 5 of chapter 448 of the Laws of 1876, entitled ‘An act relating to courts, officers of justice and civil proceedings.’”

No. 448, Int. 537, G. O. 494, Mr. Howland: An act to confirm the official acts of James S. Williams, Endelmer E. Moon and Theodore S. Cowles, commissioners of excise in and for the town of Tully, in the county of Onondaga.”

No. 449, Int. 653, G. O. 496, Mr. Duell: “An act relating to the care of animals.”

No. 451, Int. 658, G. O. 499, Mr. Catlin: “An act to facilitate the carrying out of plans and agreements for the reorganization of railroads.”

No. 452, Int. 822, G. O. 500, Mr. Nowlan: “An act authorizing the commissioners of the several towns and cities of the counties of

Cayuga, Tompkins, Cortland and Tioga to sell stock of Southern Central railroad with which to pay the bonded indebtedness of such towns and cities."

No. 456, Int. 760, G. O. 504, Mr. Speaker: "An act to incorporate the State Charities Aid Association."

No. 457, Int. 376 G. O. 507, Mr. Youngs: "An act to amend chapter 613 of the Laws of 1867, entitled 'An act in confirmation of the conveyance of lands to the Queens County Agricultural Society, and extending the powers of the officers of said society.'"

No. 461, Int. 188, G. O. 513 Mr. Sharpe: "An act to amend chapter 161 of the Laws of 1872, entitled 'An act for the protection of tax payers against the frauds, embezzlements and wrongful acts of public officers and agents,' as amended by chapter 526 of the Laws of 1879."

No. 462, Int. 604, G. O. 516, Mr. Cullinan: "An act to authorize the sale of subdivision No. 15 of block No. 27, in the third ward, and a part of subdivision 18 of block number 148, in the sixth ward, of the city of Oswego."

No. 466, Int. 840, G. O. 520, Mr. C. S. Baker: "An act to amend chapter 902 of the Laws of 1869, in relation to securities deposited by life insurance companies with the Superintendent of Insurance."

No. 467, Int. 185, G. O. 521, Mr. C. S. Baker: "An act in relation to companies insuring steam boilers."

No. 468, Int. 677, G. O. 522, Mr. Russell: "An act to amend an act entitled 'An act to amend and reduce to one act the several acts relating to buildings, and the keeping and storage of combustible materials in the city of New York,' passed May 4, 1866."

Senate, Int. 75, G. O. 458, Mr. Pitts: "An act to legalize the official acts of Frank M. Goff, a justice of the peace, and allow him to file his official bond."

Senate, Int. 34, G. O. 413 1-2, Mr. Mills: "An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game.'"

Senate, No. 27, Int. 13, G. O. 479, Mr. Madden: "An act to exempt the county of Orange from the provisions and requirements of chapter 280 of the Laws of 1845, entitled 'An act for the publication of the session laws in two newspapers in each county of this State,' and of the several acts amendatory thereof."

Senate, No. 30, Int. 70, G. O. 505, Mr. Birdsall: "An act further to amend chapter 446 of the Laws of 1874, entitled 'An act to revise and consolidate the statutes of the State relating to the care and custody of the insane, the management of the asylums for their treatment and safe-keeping, and the duties of the State Commissioner in Lunacy.'"

Senate, No. 84, Int. 48, G. O. 154, Mr. Braman: "An act in relation to the sale, and the proceeds of sale, of certain school property in the city of Albany."

Senate, No. 87, Int. 78, G. O. 553, Mr. Rockwell: "An act to amend title 4, chapter 6, part 2 of the Revised Statutes, relating to the powers and duties of executors and administrators in relation to the sale and disposition of the real estate of their testator or intestate."

Senate, No. 94, Int. 55, G. O. 457, Mr. Loomis: "An act to legalize and confirm the official acts of Jonathan O. Spink, of the town of Orangeville, Wyoming county, as justice of the peace."

Senate, No. 100, Int. 77, G. O. 512, Mr. Pitts : "An act in relation to the deposit of stocks in the Bank Department."

Senate, No. 103, Int. 63, G. O. 547, Mr. Astor : "An act to secure the registration of the births of children of residents of the city of New York, occurring during the temporary absence from such city of the parents of such children and respecting transcripts of the records."

Senate, No. 107, Int. 60, G. O. 459, Mr. Robertson : "An act further to amend chapter 270 of the Laws of 1850, entitled 'An act to authorize the appointment of commissioners to take the proof and acknowledgment of deeds and other instruments, and to administer oaths in other States and Territories.'"

Senate, No. 111, Int. 59, G. O. 436, Mr. Lynde : "An act to exempt certain towns of this State from the provisions of chapter 431 of the Laws of 1875, entitled 'An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof.'"

Senate, No. 117, Int. 65, G. O. 379, Mr. Williams : "An act to authorize the Buffalo City Cemetery Association to acquire additional land and to erect a building for office purposes."

Senate, No. 120, Int. 76, G. O. 511, Mr. Wendover : "An act to enforce the assessment of shareholders in banking associations to make good a deficit in capital."

Senate, No. 123, Int. 74, G. O. 470, Mr. Fowler : "An act in relation to the temporary relief of the poor of the town of Ulster, Ulster county."

Senate, No. 125, Int. 81, G. O. 476, Mr. Madden : "An act to provide for the payment of water bonds issued by the village of Goshen, in the county of Orange."

Senate, No. 132, Int. 98, G. O. 506, Mr. Strahan : "An act to authorize the reception and treatment in Bellevue Hospital of persons who do not reside in the city of New York."

Senate, No. 141, Int. 97, G. O. 570, Mr. Baker : "An act to transfer the town of Berlin, in the county of Rensselaer, from the first to the second school commissioner district of said county, and the town of Brunswick, in said county, from the second to the first school commissioner district of said county."

Senate, No. 148, Int. 109, G. O. 552, Mr. Sessions : "An act to legalize the official acts of certain justices of the peace, and authorizing justices of the peace to execute and file official bonds."

Senate, No. 155, Int. 99, G. O. 568, Mr. Halbert : "An act in relation to highway labor and the construction of sidewalks in the village of Whitney's Point."

No. 194, Int. 271, G. O. 211, Mr. Sharpe : "An act to repeal section 3 of chapter 683 of the Laws of 1873, entitled 'An act to provide for the extension of the New York, Kingston and Syracuse railroad.'"

No. 197, Int. 270, G. O. 214, Mr. Sharpe : "An act to repeal chapter 458 of the Laws of 1871, entitled 'An act to provide for the extension of the Rondout and Oswego railroad to the east bank of the Hudson river and to establish a ferry over said river.'"

No. 474, G. O. 529, Mr. — : "An act to amend chapter 59 of the Laws of 1861, entitled 'An act to amend the charter of the Poughkeepsie and New Paltz Ferry Company.'"

On motion of Mr. Husted, and by unanimous consent, the sub-committee of the whole was discharged from the further consideration

of bill No. 373, entitled "An act to enable the Forsyth Street Methodist Episcopal Church to transfer its real estate to trustees," and said bill was ordered engrossed to a third reading.

*Ordered*, That the Clerk deliver said bill to the Senate.

By unanimous consent,

Mr. Clancy offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee of the whole be discharged from the further consideration of bill No. 418, entitled "An act to further amend chapter 175 of the Laws of 1878, entitled 'An act to amend section 2, chapter 23 of the Laws of 1878, entitled 'An act to amend chapter 516 of the Laws of 1867, entitled 'An act for the further protection of female employees in the city of New York,'" and that the same be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Privileges of the floor were granted to Hon. Jacob Hess and Hon. E. Gallagher.

Mr. Skinner moved that bill No. 325, general orders 351, entitled "An act to amend section 435 of the Code of Civil Procedure," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced as the conference committee on Assembly bill No 13, entitled "An act to authorize the appointment of counselors at law as notaries public," Messrs. C. S. Baker, Ingersoll, Comstock, Brennan and Steele.

Mr. Speaker announced the special order of the day being the bill entitled "An act in relation to leases by railroad corporations."

The House then resolved itself into a committee of the whole on the bill entitled as follows:

"An act in relation to leases by railroad corporations."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Skinner, from said committee, reported in favor of the passage of said bill, which report was agreed to, and the same ordered engrossed for a third reading.

The Senate returned the bill entitled "An act relative to janitors in district courts in the city of New York," with a message that they have concurred in the passage of the same, with the following amendments.

Strike out all of section 1, and insert as follows:

Section 1. The justice of each district court in the city of New York is hereby authorized and empowered to appoint a janitor for such court, who shall hold office during the pleasure of and be subject to the direction of the justice of the court for which he is so appointed. The board of estimate and apportionment of said city is hereby authorized and directed to make provision for the compensation of said janitors, who shall be paid the salaries heretofore fixed and paid to district court janitors. Nothing in this act contained shall in any manner annul, restrict or affect the powers heretofore granted the department of public works of said city, or the commissioner thereof, concerning the control or care of public buildings, except that said department or commissioner shall not have power or



authority to appoint janitors for buildings or parts of buildings leased by said city in which district courts are held.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapeer	Hayes	Shanley
Andrews	Cullinan	Hoffman	Sheridan
Baker, B. F.	Curtis	Howland	Sherman
Beach	Cushing	Hurd	Shuit
Beates	Deane	Husted	Sisson
Benedict, T. E.	Dougherty	Kennedy	Skinner
Bradley	Douglass	Lefever	Slingerland
Brennan	Duell	Liddle	Tallmadge
Bridges	Duguid	Lindsay	Terpeny
Brodsky	Ellis	Low	Thilemann
Bullock	Evans	McAvoy	Tozier
Carpenter, E. A.	Ferris	McDonald	Tully
Carpenter, I. S.	Fish	Miller	Tuthill, H. H.
Case	Fiske	Nowlan	Tuttle, R. M.
Chamberlain	Gibbs	O'Connor	Varnum
Chase	Gillette	Phillips	Warner
Childs	Gorsline	Potter	Waterbury
Clark	Gray	Potts	Wells, D. A.
Clowes	Griggs	Root	Weston
Cohen	Gwinup	Seeley	Youngs
Comstock	Hagan		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

The Senate sent for concurrence the bills entitled as follows:

"An act to extend the authority of the supreme court in proceedings by writ of mandamus, to correct errors in the determination of boards of county canvassers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 227 of the Laws of 1872, entitled 'An act to amend an act passed May 9, 1868, entitled 'An act to amend section 3 of chapter 817 of the Laws of 1866, entitled 'An act to lay out and construct a road from the river road in township No. 14, in the town of Johnsburgh, to the Carthage road near the head of Long lake in the county of Hamilton,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to provide for the reporting of appointments to the benevolent institution of the State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act in relation to the public baths in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to establish a board of fire commissioners for the village of West Troy, in the county of Albany," which was read the first time,

and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

The Senate returned the bill entitled "An act to authorize and empower the State Board of Audit to adjust and settle certain differences existing between the State and the county of Monroe," with a message that they have concurred in the passage of the same.

*Ordered*, That the Clerk deliver said bill to the Governor.

Mr. Curtis offered for the consideration of the House a privileged resolution in the words following:

*Resolved* (if the Senate concur), That a respectful message be sent to His Excellency the Governor requesting the return of Assembly bill entitled "An act to exempt the town of Guilford, Chenango county, from the provisions and operations of chapter 175 of the Laws of 1870, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties,' " for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Speaker presented a communication from the Superintendent of State Prisons, in response to a resolution of the last Assembly; which was laid on the table and ordered printed.

(*See Doc. No. 96.*)

Mr. Varnum moved to discharge the committee of the whole from the further consideration of the bill entitled "An act to facilitate the erection of a new building by the New York Produce Exchange in the city of New York, by authorizing the closing of Marketfield street, and the sale of a lot of land and building on Stone street in said city, the property of the mayor, aldermen and commonalty of the city of New York," and that said bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Pursuant to 9th joint rule, Mr. Speaker announced order of business, third reading of bills.

Mr. Skinner moved to lay said order of business on the table for purpose of taking up order of business general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

The bill entitled "An act to amend chapter 489 of the Laws of 1873, entitled 'An act to amend an act entitled 'An act for the better security of mechanics and others erecting buildings in the counties of Westchester, Oneida, Cortland, Broome, Putnam, Rockland, Orleans, Niagara, Livingston, Otsego, Lewis, Orange and Dutchess,' passed April 17, 1854; and as amended by chapter 558 of the Laws of 1869, entitled 'An act for the better security of mechanics and others erecting buildings in either of the counties of this State, except the counties of Erie, Kings, Queens, New York and Onondaga,' " was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a

majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Comstock	Hurd	Skinner
Andrews	Cookinham	Liddle	Slingerland
Baker, B. F.	Crapser	Low	Steele
Baker, C. S.	Oullinan	McAvoy	Tallmadge
Beach	Curtis	McCabe	Terpeny
Beates	Cushing	Mead	Thilemann
Benedict, T. E.	Davis	Miller	Titus
Bradley	Duell	Mitchell	Tozier
Brennan	Ellis	Newman	Travis
Bridges	Evans	Nowlan	Tully
Brodsky	Fish	O'Brien	Tuthill, H. H.
Bullock	Fiske	Phillips	Tuttle, R. M.
Carpenter, E. A.	Gillette	Potter	Varnum
Carpenter, I. S.	Gorsline	Root	Warner
Case	Gray	Russell	Waterbury
Chamberlain	Griggs	Sanders	Wells, D. A.
Chickering	Grosse	Seeley	Wells, J. L.
Clark	Gwinup	Sheridan	Wiley
Clowes	Havens	Sisson	Youngs
Cohen	Hoffman		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act to amend section 1 of chapter 498 of the Laws of 1872, entitled 'An act for the protection of livery-stable keepers and other persons keeping horses at livery or pasture,'"

"An act to amend an act entitled 'An act supplementary to chapter 273 of the Laws of 1866, entitled 'An act authorizing the incorporation of associations to erect monuments to perpetuate the memory of soldiers who fell in defense of the Union,' passed April 14, 1877."

"An act to amend chapter 34 of the Laws of 1876, entitled 'An act to provide for the payment of a portion or the whole of the debt of the county of Greene, by issuing new bonds.'"

"An act to enable the town of Newtown, in Queens county, to fund a portion of its bonded debt at a reduced rate of interest."

"An act to amend an act entitled 'An act for the better prevention of the procurement of abortions and other like offenses, and to amend the laws relative thereto,' being chapter 181 of the Laws of 1872."

"An act to enable the respective towns in the county of Rensselaer to reduce the number of its town officers."

"An act to authorize the town of Madrid, in the county of St. Lawrence, to borrow money for the completion of the water-works in the village of Madrid, and for other purposes."

"An act to legalize the official acts of Samuel Williams, a justice of the peace of Bridgewater, in the county of Oneida."

"An act to legalize the acts of George M. Warren, a justice of the peace of the town of Wheatfield, Niagara county."

"An act to amend chapter 589 of the Laws of 1875, entitled 'An

act to extend the powers of the trustees of the village of Wilson, in the county of Niagara."

"An act to incorporate the fire department of the village of Waterloo."

"An act to amend section 5, title 3 of chapter 291, Laws of 1870, entitled 'An act for the incorporation of villages.'"

"An act to prevent the bribing and corrupting of officers of the Seneca Nation of Indians."

"An act to enable the Alanson Methodist Episcopal Church of the city of New York to transfer and convey certain real property."

"An act to legalize and confirm the election of officers for the village of Macedon, in the county of Wayne."

"An act to legalize the official acts of Barclay Haviland, a justice of the peace in the town of Washington, in the county of Dutchess."

"An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations."

"An act to provide for the revision, amendment and consolidation of the act entitled 'An act to provide for the enrollment of the militia, for the organization of the National Guard of the State of New York, and for the public defense, and entitled 'the Military Code', and of all acts amendatory thereof and supplemental thereto, or relating to the organization and government of the militia of the State.'"

"An act to provide for the refunding of a portion of the bonded debt of the town of Westchester, in the county of Westchester, and to restrict the power of the town officers to bond the said town, except as provided in chapter 193 of the Laws of 1877."

"An act in relation to the jurisdiction of the district courts of the city of New York."

"An act to provide for the election of a town treasurer in the town of Gravesend, in the county of Kings, and to regulate and prescribe the duties of said officer."

"An act in relation to the superintendents of the poor of the county of Westchester, and the keeper of the county house in said county."

"An act to amend chapter 376 of the Laws of 1876, as amended by chapter 456 of the Laws of 1879, entitled 'An act to prevent the deposit of mud, earth, soil, ashes, or refuse in the North or Hudson river, and to prevent the filling up the navigable waters of said river, and to preserve the navigation thereof.'"

"An act to amend section 1176 of article 1 of title 5 of the Code of Civil Procedure."

"An act in relation to the overseers of the poor of the town of Hempstead, Queens county."

"An act to authorize the railroad commissioners of the town of Lowville, in Lewis county, to take up certain bonds which under chapter 14, section 4 of Laws of 1872, may be taken up, and to issue others in place of said bonds at a lower rate of interest."

"An act to amend section 90 of chapter 426 of the Laws of 1847, entitled 'An act to provide for the incorporation of villages.'"

"An act to amend chapter 491 of the Laws of 1871, entitled 'An act to provide for the relief and support of the poor of the county of Kings, and to change the name of the office of the superintendents of the poor therein to the office of the commissioners of charities of the county of Kings.'"

"An act conferring additional powers upon the board of supervisors of the county of Franklin."

"An act to authorize the change of course of the east branch of the Eighteen Mile creek, in the town of Hartland, in the county of Niagara."

"An act to amend chapter 331 of the Laws of 1846, entitled 'An act to incorporate the Domestic and Foreign Missionary Society of the Protestant Episcopal Church of the United States of America.'"

"An act to provide for the publication of the names of referees, receivers, auditors and other officers of courts in the city and county of New York."

"An act to amend chapter 363 of the Laws of 1878, entitled 'An act in relation to the regrading and paving of Grand street, from Union avenue to Bushwick avenue, in the city of Brooklyn with Belgian pavement.'"

"An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game.'"

"An act entitled 'An act providing for the verification of pleadings in the justices' court.'"

"An act to abolish the office of railroad commissioners of the town of Augusta, in the county of Oneida, and to authorize the supervisor of said town to discharge the duties now pertaining to said office."

"An act to amend section 8 of chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game.'"

"An act to authorize the treasurer of Steuben county to sell property for unpaid taxes."

"An act to declare Independence river and its tributaries in Lewis and Herkimer counties a public highway."

"An act to amend chapter 371 of the Laws of 1875, entitled 'An act to conform the charters of all savings banks or institutions for savings to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for their supervision, and for the administration of their affairs.'"

"An act to amend chapter 515 of the Laws of 1871, entitled 'An act to prevent fraud in auction sales, and fraudulent conduct on the part of auctioneers in the cities of New York and Brooklyn.'"

"An act relating to referees, receivers, auditors and other officers appointed by the court, within the counties of New York and Kings."

"An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors.'"

"An act to incorporate the board of trustees of the fire department of the city of Troy."

"An act for the preservation of fish in the waters of Loon lake in the county of Steuben."

"An act requiring certain bonds and undertakings to be recorded."

"An act to amend chapter 403 of the Laws of 1879, entitled 'An act to prevent certain abuses upon the canals of this State.'"

The bill entitled "An act to authorize trustees of religious corporations to appoint officers to arrest persons disturbing religious meetings," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Kennedy	Sheridan
Andrews	Cullinan	Lefever	Sherman
Baker, B. F.	Curtis	Liddle	Shuit
Baker, C. S.	Davis	Lindsay	Sipp
Beach	Deane	Low	Sisson
Beates	Douglass	McAvoy	Skinner
Benedict, E. D.	Duell	Mead	Slingerland
Benedict, T. E.	Ellis	Miller	Strait
Bradley	Evans	Mooers	Tallmadge
Brennan	Ferris	Morgan	Terpeny
Bridges	Fish	Newman	Titus
Brodsky	Fitzgerald	Nowlan	Tozier
Carpenter, I. S.	Gillette	O'Brien	Tully
Case	Gray	Phillips	Tuthill, H. H.
Catlin	Gwinup	Pitcher	Tuttle, R. M.
Chamberlain	Havens	Potter	Varnum
Chickering	Hayes	Potts	Warner
Clark	Hoffman	Rhodes	Waterbury
Comstock	Howland	Roberts	Youngs
Cookinham	Hurd	Russell	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to authorize the construction of a bridge over the Erie canal at Tonawanda," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	McAvoy	Sipp
Andrews	Davis	McTernan	Sisson
Baker, C. S.	Deane	Mead	Skinner
Beach	Dougherty	Miller	Slingerland
Beates	Duell	Mitchell	Steele
Benedict, E. D.	Ferris	Mooers	Tallmadge
Bennett	Fish	Morgan	Terpeny
Brennan	Fitzgerald	Newman	Thilemann
Bridges	Gibbs	Nowlan	Titus
Brodsky	Gillette	O'Brien	Tormey
Carpenter, E. A.	Gorsaline	Peck	Tozier
Carpenter, I. S.	Gray	Phillips	Travis
Case	Gwinup	Pitcher	Tully
Catlin	Hayes	Potts	Tuthill, H. H.
Chamberlain	Hoffman	Roberts	Tuttle, R. M.
Chickering	Howland	Rhodes	Varnum
Childs	Hurd	Russell	Warner

Clark	Husted	Seeley	Waterbury
Cohen	Kennedy	Sheridan	Wells, D. A.
Cookinham	Lefever	Sherman	Wells, J. L.
Crapser	Liddle	Shuit	Youngs
Cullinan	Lindsay		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act for the relief of persons who performed the duties of clerks and assistant clerks of district courts in the city of New York, in the year 1876," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Davis	Lefever	Shuit
Ash	Deane	Liddle	Sipp
Baker, B. F.	Dougherty	Lindsay	Sisson
Baker, C. S.	Douglass	McAvoy	Slingerland
Beach	Duguid	Miller	Steele
Beates	Ellis	Mitchell	Tallmadge
Benedict, E. D.	Evans	Mooers	Terpeny
Bennett	Ferris	Newman	Titus
Bridges	Fish	Nowlan	Tormey
Brodsky	Fitzgerald	O'Brien	Tozier
Bullock	Gibbs	O'Connor	Travis
Carpenter, E. A.	Gillette	Phillips	Treanor
Carpenter, I. S.	Gorsline	Pitcher	Tully
Catlin	Gray	Potter	Tuthill, H. H.
Childs	Griggs	Potts	Tuttle, R. M.
Clark	Grosse	Rhodes	Varnum
Clowes	Hagan	Root	Warner
Comstock	Hayes	Russell	Waterbury
Cookinham	Hoffman	Sanders	Wells, D. A.
Crapser	Howland	Seeley	Weston
Cullinan	Hurd	Shanley	Wiley
Curtis	Husted	Sheridan	Youngs
Cushing	Kennedy	Sherman	

Those who voted in the negative, were

Cohen	Skinner
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*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message was received from the Governor in the words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, *March 25*, 1880. }

*To the Assembly :*

In accordance with a joint resolution of the Senate and Assembly, herewith is returned, for amendment, Assembly bill No. 62, entitled "An act to enforce the collection of taxes levied in the county of Oneida."

ALONZO B. CORNELL

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Hurd	Sanders
Ash	Crapser	Ingersoll	Shanley
Baker, C. S.	Cullinan	Lefever	Sipp
Beach	Curtis	Liddle	Sisson
Beates	Davis	McAvoy	Skinner
Benedict, E. D.	Deane	McCabe	Slingerland
Benedict, T. E.	Douglass	Miller	Strait
Bradley	Duell	Mitchell	Titus
Brennan	Duguid	Moore	Tozier
Bridges	Evans	Morgan	Treanor
Bredsky	Ferris	Nowlan	Tuthill, H. H.
Bullock	Fish	O'Brien	Tuttle, R. M.
Carpenter, I. S.	Gillette	Peck	Varnum
Cass	Gorsline	Phillips	Warner
Catlin	Griggs	Potter	Waterbury
Chase	Gwinup	Potts	Wells, D. A.
Chickering	Havens	Roberts	Wells, J. L.
Clark	Hayes	Root	Weston
Clowes	Hoffman	Russell	Wiley
Comstock			

On motion, of Mr. Cookinham, and by unanimous consent, said bill was amended in words following:

Strike out all of section "15" and insert in place thereof the following as "section 15."

"This act shall take effect immediately in all respects, except so far as it relates to the compensation of the county treasurer, and in this respect it shall take effect upon the expiration of the time for which the present county treasurer is elected."

Said bill as amended was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cohen	Hoffman	Russell
Andrews	Cookinham	Howland	Sanders
Ash	Crapser	Hurd	Sherman
Baker, C. S.	Cullinan	Husted	Shuit
Beach	Curtis	Ingersoll	Sipp
Beates	Cushing	Lefever	Skinner
Benedict, E. D.	Deane	Liddle	Slingerland
Benedict, T. E.	Douglass	Lindsay	Steele
Bennett	Duell	Low	Strait
Bradley	Duguid	McAvoy	Titus
Brennan	Ellis	McCabe	Tozier



Bridges	Evans	Miller	Tully
Brodsky]	Ferris	Mitchell	Tuthill, H. H.
Bullock	Fish	Mooers	Tuttle, R. M.
Carpenter, E. A.	Gibbs	Morgan	Varnum
Carpenter, I. S.	Gillette	Newman	Warner
Case	Gorsline	Nowlan	Waterbury
Chamberlain	Gray	Phillips	Weston
Chase	Griggs	Roberts	Wiley
Chickering	Hayes	Root	Youngs
Clark			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

The bill entitled "An act in relation to the government of the city of Brooklyn," being announced for a third reading, Mr. Shanley moved to recommit said bill to the committee on affairs of cities, with instructions to amend said bill in words following:

Strike out all after the word "the" on line 24, down to the word "such" on line 24; and insert the words "the mayor shall nominate and a majority of the board of aldermen confirm."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Shanley moved to recommit said bill to the committee on affairs of cities, with instructions to amend said bill in words following:

Strike out all after the word "Brooklyn," on line 20, down to the word "Comptroller" on line 25.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

{ AYES 70 }  
{ NOES 25 }

Those who voted in the affirmative, were

Benedict, E. D.	Dougherty	McAvoy	Shanley
Benedict, T. E.	Ellis	McCarthy	Strait
Bennett	Fitzgerald	McTernan	Thilemann
Catlin	Gibbs	Newman	Tormey
Clancy	Havens	O'Connor	Treanor
Cohen	Hoffman	Rhodes	Tully
Cushing			

Those who voted in the negative, were

Alvord	Clowes	Hurd	Root
Andrews	Comstock	Husted	Russell
Ash	Cookinham	Lefever	Sherman
Baker, C. S.	Crapser	Liddle	Sipp
Beach	Cullinan	Lindsay	Sinson
Beates	Curtis	Low	Skinner
Bradley	Davis	McCabe	Slingerland
Brennan	Deane	Miller	Steele
Bridges	Douglass	Mitchell	Tallmadge
Brodsky	Duell	Mooers	Titus
Bullock	Duguid]	Nowlan	Travis
Carpenter, E. A.	Evans	O'Brien	Tuthill, H. H.
Carpenter, I. S.	Ferris	Peck	Tuttle, R. M.
Case	Fish	Phillips	Varnum
Chamberlain	Gillette	Pitcher	Warner
Chickering	Gorsline	Potter	Waterbury
Childs	Griggs	Potts	Wells, D. A.
Clark	Howland	Roberts	Wells, J. L.

Mr. Russell moved the previous question on the passage of the bill.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

{ AYES 71 }  
{ NOES 25 }

Those who voted in the affirmative, were

Alvord	Cookinham	Hurd	Russell
Andrews	Crapser	Husted	Sanders
Baker, B. F.	Cullinan	Kennedy	Sherman
Baker, C. S.	Curtis	Lefever	Shuit
Beach	Davis	Liddle	Sipp
Beates	Deane	Lindsay	Sisson
Bradley	Douglass	McCabe	Skinner
Brennan	Duell	Mooers	Slingerland
Brodsky	Duguid	Morgan	Titus
Bullock	Evans	Nowlan	Tozier
Carpenter, E. A.	Ferris	O'Brien	Travis
Carpenter, I. S.	Fish	Peck	Tuthill, H. H.
Chamberlain	Fiske	Phillips	Tuttle, R. M.
Chickering	Gillette	Pitcher	Varnum
Childs	Gorsline	Potter	Warner
Clark	Gray	Potts	Wells, J.
Clowes	Griggs	Roberts	Youngs
Comstock	Howland	Root	

Those who voted in the negative, were

Benedict, E. D.	Dougherty	McAvoy	Shanley
Benedict, T. E.	Ellis	McCarthy	Thilemann
Bennett	Fitzgerald	McTernan	Tormey
Catlin	Gibbs	Newman	Treanor
Clancy	Havens	O'Connor	Tully
Cohen	Hoffman	Rhodes	Wiley
Cushing			

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 31 }

Those who voted in the affirmative, were

Andrews	Crapser	Lefever	Sherman
Ash	Cullinan	Liddle	Shuit
Baker, B. F.	Curtis	Lindsay	Sipp
Baker, C. S.	Davis	Low	Sisson
Beach	Deane	McCabe	Skinner
Beates	Douglass	Miller	Slingerland
Bradley	Duell	Mitchell	Steele
Brennan	Evans	Mooers	Tallmadge
Bridges	Ferris	Morgan	Titus
Brodsky	Fish	Nowlan	Travis
Bullock	Fiske	O'Brien	Tuthill, H. H.
Carpenter, E. A.	Gillette	Peck	Tuttle, R. M.
Carpenter, I. S.	Gorsline	Phillips	Varnum
Case	Griggs	Pitcher	Warner
Chamberlain	Grosse	Potter	Waterbury
Chickering	Hayes	Potts	Wells, D. A.

Childs	Howland	Roberts	Wells, J. L.
Clark	Hurd	Root	Weston
Clowes	Husted	Russell	Youngs
Comstock	Ingersoll	Sanders	Mr. Speaker
Cookinham	Kennedy	Seeley	

Those who voted in the negative, were

Alvord	Dougherty	McAvoy	Shanley
Benedict, E. D.	Ellis	McCarthy	Strait
Benedict, T. E.	Fitzgerald	McTernan	Thilemann
Bennett	Gibbs	Mead	Tormey
Catlin	Gwinup	Newman	Treanor
Clancy	Hagan	O'Connor	Tully
Cohen	Havens	Parker	Wiley
Cushing	Hoffman	Rhodes	

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Alvord, and by unanimous consent, the committee of the whole was discharged from the further consideration of Senate bill entitled "An act to amend chapter 8 of part 1st of the Revised Statutes, entitled 'Of the duties of the executive officers of the State and of various matters connected with their respective departments,'" and said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Comstock	Ingersoll	Sherman
Andrews	Cookinham	Kennedy	Shuit
Ash	Crapser	Lefever	Sipp
Baker, B. F.	Cullinan	Liddle	Skinner
Baker, C. S.	Curtis	McCabe	Slingerland
Beach	Davis	Miller	Steele
Beates	Deane	Mitchell	Strait
Benedict, E. D.	Dougherty	Mooers	Thilemann
Benedict, T. E.	Duell	Morgan	Titus
Bennett	Duguid	Nowlan	Tozier
Bradley	Ellis	Parker	Travis
Brennan	Ferris	Peck	Treanor
Brodskey	Fish	Phillips	Tully
Bullock	Fiske	Pitcher	Tuthill, H. H.
Carpenter, I. S.	Goreline	Potter	Tuttle, R. M.
Case	Griggs	Potts	Varnum
Chamberlain	Gwinup	Rhodes	Waterbury
Chickering	Hayes	Roberts	Wells, D. A.
Childs	Hoffman	Root	Wells, J. L.
Clark	Howland	Russell	Weston
Clowes	Hurd	Sanders	Wiley
Cohen	Husted	Shanley	Youngs

*Ordered,* That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Hayes offered for the consideration of the House a resolution in the words following:

*Whereas*, To-morrow is Good Friday, one of the most solemn of religious anniversaries among Christian people; and,

*Whereas*, It is seemly that said anniversary should be respected by this Legislature; therefore

*Resolved* (if the Senate concur), That when the Legislature adjourns to-day it be to meet on Monday evening at 8 o'clock.

*Ordered*, That the same be laid upon the table.

By unanimous consent,

Mr. Travis, from the committee on the judiciary, to which was referred the bill introduced by Mr. Hayes (introductory No. 814), entitled "An act to abolish the office of marshal of the city of New York and to provide for the appointment of officers in lieu of marshals in said city, and making certain regulations concerning the same," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Travis, from the committee on the judiciary, to which was referred the bill introduced by Mr. Sheridan (introductory No. 90), entitled "An act to repress and punish disorderly conduct on public conveyances," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Travis, from the committee on the judiciary, to which was referred the bill introduced by Mr. Mitchell (introductory No. 305), entitled "An act to amend section 51 of article 4 of chapter 8 of title 1 of part 2 of the Revised Statutes, entitled 'Of separation or limited divorces,'" reported adversely thereto, which report was agreed to.

Mr. Travis, from the committee on the judiciary, to which was referred the bill introduced by Mr. Bradley (introductory No. 317), entitled "An act providing for the attachment of personal property by process of garnishment," reported adversely thereto, which report was agreed to.

Mr. Travis, from the committee on the judiciary, to which was referred the bill introduced by Mr. McCarthy (introductory No. 787), entitled "An act giving the rights to interpose supplemental pleading setting forth a discharge in bankruptcy," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Travis, from the committee on the judiciary, to which was referred the bill introduced by Mr. Mitchell (introductory No. 766), entitled "An act to amend the 12th section of the act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Travis, from the committee on the judiciary, to which was referred the bill introduced by Mr. Cohen (introductory No. 448), entitled "An act to legalize the official acts and proceedings of Charles I. Schampain, a notary public of the county of New York," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Travis, from the committee on the judiciary, to which was

referred the bill introduced by Mr. J. L. Wells (introductory No. 671), entitled "An act to further amend chapter 379 of the Laws of 1875, entitled 'An act to define and limit the liens of contractors and others upon real estate in the city and county of New York, and to provide for the enforcement thereof,' passed May 17, 1875," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Travis, from the committee on the judiciary, to which was referred the bill introduced by Mr. T. E. Benedict (introductory No. 253), entitled "An act amending chapter 448 of the Laws of 1876, known as the Code of Procedure," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Travis, from the committee on the judiciary, to which was referred the bill introduced by Mr. Mitchell (introductory No. 506), entitled "An act to restrict appeals to the Court of Appeals in certain cases," reported said bill for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

Mr. Travis, from the committee on the judiciary, to which was referred the bill introduced by Mr. Lindsay (introductory No. 89), entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Travis, from the committee on the judiciary, to which was referred the bill introduced by Mr. Travis (introductory No. 50), entitled "An act to amend chapter 50 of the Laws of 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Travis, from the committee on the judiciary, to which was referred the bill introduced by Mr. Russell (introductory No. 876), entitled "An act releasing all the right and interest of the people of the State of New York to and in certain lands in the city of Brooklyn, eastern district, formerly town of Bushwick, county of Kings, formerly in the East river," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Travis, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 121), entitled "An act to legalize the official acts and proceedings of Hiram Dimick, a justice of the peace of the town of Wirt, in the county of Allegany," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Travis, from the committee on the judiciary, to which was referred the bill introduced by Mr. Mitchell (introductory No. 856), entitled "An act in relation to the removal or suspension of attorneys and counselors at law," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Case, from the committee on federal relations, reported by bill entitled "An act to ratify and confirm the agreement in relation to the boundary lines between the State of New York and the State of Connecticut, entered into by commissioners on the part of said States," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Case, and by unanimous consent, the committee of the whole was discharged from the further consideration of said bill, and said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Howland	Sherman
Andrews	Cullinan	Hurd	Shuit
Ash	Curtis	Ingersoll	Sipp
Baker, B. F.	Davis	Lefever	Skinner
Baker, C. S.	Deane	Liddle	Slingerland
Beach	Douglass	Low	Steele
Beates	Duell	McTernan	Strait
Benedict, E. D.	Duguid	Miller	Tallmadge
Benedict, T. E.	Ellis	Moors	Terpeny
Bradley	Ferris	Morgan	Travis
Brodsky	Fish	Parker	Tuthill, H. H.
Bullock	Fiske	Peck	Tuttle, R. M.
Carpenter, I. S.	Gorsline	Phillips	Van Valkenburgh
Case	Gray	Potter	Varnum
Chamberlain	Griggs	Rhodes	Waterbury
Chase	Grosse	Roberts	Wells, D. A.
Chickering	Gwinup	Root	Wells, J. L.
Comstock	Hagan	Russell	Wiley
Congdon	Hayes	Sanders	Youngs
Cookinham	Hoffman	Shanley	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Bradley offered for the consideration of the House a resolution in the words following:

*Resolved*, That when this House adjourns it will adjourn to meet at 8 o'clock this evening, the evening session to be devoted exclusively to the third reading of bills now on the Clerk's desk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative.

Mr. Alvord moved to extend the time of the session for the purpose of taking up order of business reports of committees.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Hurd, from the committee on canals, to which was recommitted the bill introduced by Mr. Morgan (introductory No. 74), entitled "An act relating to the banks and prism of the Genesee Valley canal, and for the sale thereof," reported in favor of the passage of the

same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Hurd, from the committee on canals, to which was referred the bill introduced by Mr. Terry (introductory No. 467), entitled "An act to encourage improvements in steam propulsion upon the Champlain canal," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Hurd, from the committee on canals, to which was referred the bill introduced by Mr. Mead (introductory No. 752), entitled "An act to authorize cities and incorporated villages to charge license fees to persons doing a retail business on the canals of this State," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Hurd, from the committee on canals, to which was referred the bill introduced by Mr. Morgan (introductory No. 303), entitled "An act to authorize the Treasurer of the State of New York to indorse and deliver to Hugh M. Severance two certificates of deposit of \$500 each on the First National Bank of Angelica," reported adversely thereto, which report was agreed to.

Mr. Tozier, from the committee on general laws, to which was referred the bill introduced by Mr. Bradley (introductory No. 69), entitled "An act to prevent malicious mischief," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Tozier, from the committee on general laws, to which was referred the bill introduced by Mr. McCarthy (introductory No. 783), entitled "An act to incorporate the Bachelor Club of the city of New York," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Tozier, from the committee on general laws, to which was referred the bill introduced by Mr. Potter (introductory No. 237), entitled "An act to amend an act entitled 'An act concerning the writ of *certiorari* in criminal cases,' passed March 21, 1829," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Tozier, from the committee on general laws, to which was referred the bill introduced by Mr. Potter (introductory No. 902), entitled "An act in relation to the bonded indebtedness of Saratoga, in the county of Saratoga," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Tozier, from the committee on general laws, to which was referred the bill introduced by Mr. Havens (introductory No. 388), entitled "An act to amend chapter 265 of the Laws of 1848, entitled 'An act to provide for the incorporation and regulation of telegraph companies,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Tozier, from the committee on general laws, to which was referred the bill introduced by Mr. E. A. Carpenter (introductory No. 753), entitled "An act to authorize corporations founded for the erection of buildings, to mortgage their property and franchises,"

reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. J. L. Wells (introductory No. 851), entitled "An act to provide for the proper drainage of lands in the city of New York," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Duguid, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Sheridan (introductory No. 572), entitled "An act to prevent interference with owners and captains of steamers engaged in the towing business," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Duguid, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Rhodes (introductory No. 801), entitled "An act to compel the maintenance of certain lights upon draw bridges across the navigable waters of the State of New York," reported in favor of the passage of the same with amendments, and the title amended so as to read as follows: "An act to compel the maintenance of certain lights upon draw bridges across the Hudson river," which report was agreed to and said bill committed to the committee of the whole.

Mr. Duguid, from the committee on commerce and navigation, to which was referred the Senate bill (introductory No. 91), entitled "An act to provide for the completion and opening for public travel, of New York and Brooklyn Bridge, and to authorize the sale and conveyance of certain gores and pieces of land by the trustees thereof," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Fiske (introductory No. 472), entitled "An act to amend the charter of the village of Edgewater," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Fiske (introductory No. 793), entitled "An act to amend section 1 of chapter 794 of the Laws of 1866, entitled 'An act to incorporate the village of Port Richmond, in the county of Richmond,'" reported in favor of the passage of the same with amendments, and with the title amended, which report was agreed to and said bill committed to the committee of the whole.

Mr. Weston, from the committee on roads and bridges, to which was referred the bill introduced by Mr. E. A. Carpenter (introductory No. 836), entitled "An act to amend the Revised Statutes in relation to highways," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Weston, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Lefever (introductory No. 806), entitled "An act for the relief of the Union Plankroad Company," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.



Mr. Weston, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Potter (introductory No. 756), entitled "An act to amend an act to provide for keeping in repair the highway leading from Sacandaga river to Mount Pleasant, passed April 12, 1862," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Curtis, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Deane (introductory No. 464), entitled "An act to amend chapter 319 of the Laws of 1848, entitled 'An act for the incorporation of benevolent, charitable, scientific and missionary societies,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Curtis, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Roberts (introductory No. 853), entitled "An act to incorporate the Supreme Council of Royal Templars of Temperance, and to provide for the organization of select councils and a grand council for the State of New York," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Curtis, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Gibbs (introductory No. 223), entitled "An act relative to the maintenance of the inmates of the Protestant infant asylum," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole. Mr. Curtis dissenting thereto.

Mr. Curtis, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Beates (introductory No. 417), entitled "An act to amend section 1 of chapter 803 of the Laws of 1868, entitled 'An act to amend the acts to provide for the incorporation of religious societies, so far as the same relate to churches in connection with the Protestant Episcopal Church,'" reported adversely thereto, which report was agreed to.

On motion of Mr. Beates, said bill, with report, was laid on the table.

Mr. Curtis, from the committee on charitable and religious societies, to which was referred the Senate bill (introductory No. 113), entitled "An act to incorporate the Grand Council of Royal Templars of Temperance of the State of New York, and to provide for the organization of select councils," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Curtis, from the committee on charitable and religious societies, to which was referred the Senate bill (introductory No. 117), entitled "An act supplementary to chapter 368 of the Laws of 1865, entitled 'An act for the incorporation of societies or clubs for certain social and recreative purposes,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Curtis, from the committee on charitable and religious societies, to which was referred the Senate bill (introductory No. 349), entitled "An act to amend chapter 273, entitled 'An act for the incorporation of societies or clubs for certain lawful purposes,'" reported in favor of the passage of the same.

On motion of Mr. Griggs, and by unanimous consent, said bill was ordered engrossed, and to a third reading.

Mr. Curtis, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Varnum (introductory No. 789), entitled "An act to amend chapter 184 of the Laws of 1839, entitled 'An act in relation to trusts for the benefit of the meetings of the religious society of Friends,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Peck, from the committee on petitions of aliens, to which was referred the bill introduced by Mr. — Wells (introductory No. 867), entitled "An act to release the right, title and interest of the people of the State of New York of, in and to certain real estate of which George Johnson died seized to Catharine Johnson, his widow," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Husted offered for the consideration of the House the following privileged resolution:

*Whereas*, Thomas W. Olcott of this city, full of years and honors, has been called from life unto death; and,

*Whereas*, By the purity of his character, his munificent liberality, the record of his successful business career and the shining example of his moral and religious worth, he has left a name brightened by the respect and reverence of all who knew him; therefore,

*Resolved*, That while we bow in humble submission to this sad dispensation of Divine Providence, we nevertheless feel it to be a privilege to enter on the records of this House our high appreciation of the distinguished services of the deceased, and our tribute to the memory of a great and good man.

*Resolved*, That as a token of respect to his memory, this House do now adjourn.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker then announced, the House stands adjourned until tomorrow morning at 11 o'clock.

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## FRIDAY MORNING, MARCH 26, 1880.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. Magee.

The journal of yesterday was read and approved.

Mr. Bradley offered for the consideration of the House a privileged resolution in the words following:

*Resolved*, That when this House adjourns to-day, it will adjourn to meet on Monday evening, at 8 o'clock.

Mr. Curtis moved to strike out "8" and insert "7."

Mr. Speaker put the question whether the House would agree to the motion of Mr. Curtis, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Bradley, and it was determined in the affirmative.

Mr. Speaker announced the special order of the day, being Senate

bill No. 139, entitled "An act making an appropriation to continue the work on the new Capitol building.

The House then resolved itself into a committee of the whole on the bill entitled as follows:

Senate, "An act making an appropriation to continue the work on the new Capitol building."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Travis, from said committee, reported in favor of the passage of said bill, which report was agreed to, and the same ordered to a third reading.

A message from the Senate was received and read, in words following:

- IN SENATE, *March 25, 1880.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned Senate bill entitled "An act to amend chapter 497 of the Laws of 1874, entitled 'An act to amend the charter of the city of Poughkeepsie and to consolidate with it other acts relating to said city.'"

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Wendover, and by unanimous consent, the same was amended as follows:

Amend section 25 so as to read as follows:

"Section 25. This act shall take effect immediately, in all respects except so far as it relates to the compensation of officers, and in this respect it shall take effect upon the expiration of the time for which the present officers were elected or appointed."

And, as amended, re-engrossed, passed, and ordered to be sent to the Assembly for concurrence.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Andrews	Curtis	Lefever	Siason
Ash	Davis	Liddle	Skinner
Baker, B. F.	Deane	Low	Steele
Baker, C. S.	Dougherty	McCabe	Tallmadge
Beates	Douglass	Mead	Terpeny
Benedict, T. E.	Duguid	Miller	Titus
Brennan	Evans	Mitchell	Tormey
Bridges	Ferris	Mooers	Tozier
Brodsky	Fish	Morgan	Travis
Bullock	Fitzgerald	Newman	Tully
Carpenter, I. S.	Gibbs	O'Brien	Tuthill, H. H.
Case	Gillette	Phillips	Tuttle, R. M.
Chamberlain	Gray	Pitcher	Van Valkenburgh
Chase	Griggs	Potter	Varnum
Clark	Grosse	Roberts	Warner
Clowes	Hayes	Root	Wells, D. A.
Congdon	Hoffman	Seeley	Wells, J. L.
Cookinham	Husted	Sherman	Youngs
Crapser	Ingersoll	Shuit	Mr. Speaker
Cullinan	Kennedy	Sipp	

Mr. Speaker then put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Kennedy	Seeley
Andrews	Crapser	Lefever	Sherman
Ash	Cullinan	Liddle	Shuit
Baker, B. F.	Curtis	Lindsay	Sipp
Baker, C. S.	Davis	McCabe	Sisson
Beach	Douglass	McTernan	Steele
Beates	Duguid	Mead	Strait
Benedict, T. E.	Ferris	Miller	Tallmadge
Bennett	Fish	Mitchell	Terpeny
Brennan	Fiske	Moors	Titus
Bridges	Fitzgerald	Morgan	Tozier
Brodsky	Gibbs	Newman	Tully
Bullock	Gillette	Nowlan	Tuthill, H. H.
Carpenter, I. S.	Gorsline	O'Brien	Tuttle, R. M.
Case	Gray	Peck	Van Valkenburgh
Chamberlain	Grosse	Phillips	Varnum
Chickering	Gwinup	Pitcher	Wells, D. A.
Childs	Havens	Potter	Wells, J. L.
Clark	Hayes	Potts	Youngs
Clowes	Howland	Roberts	Mr. Speaker
Congdon	Hurd	Root	

*Ordered.* That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

Mr. Alvord moved that the sub-committee of the whole be discharged from the further consideration of bill No. 140, entitled "An act to secure uniform ballots and preserve the purity of elections," and that this House do now resolve itself into committee of the whole on said bill.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The House then resolved itself into a committee of the whole on the bill entitled as follows :

"An act to secure uniform ballots and preserve the purity of elections."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Congdon, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Alvord moved to discharge the committee of the whole from the further consideration of said bill, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Alvord moved to recommit said bill to the committee on the judiciary, with instructions to report at any time, retaining its place on order of third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Potter offered for the consideration of the House a resolution in the words following:

*Resolved*, That the special committee on taxes and assessments be and they are hereby directed to report a bill to this House, providing that all bonds issued by, or for any town, city or village in this State, to aid in the construction of any railroad therein, shall be deemed personal property within the town by or for which they were issued, and as such shall be subject to assessment and taxation in the same manner that bank shares are now assessed and taxed.

Said resolution giving rise to debate,

*Ordered*, That the same be laid upon the table.

The Senate sent for concurrence the bills entitled as follows:

"An act to amend chapter 290 of the Laws of 1872, entitled 'An act to authorize the Blossburgh Coal Company, the successors and assigns of the Bloss Coal Mining and Railroad Company, a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, to hold real estate for the purpose of business,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

"An act to amend chapter 391 of the Laws of 1878, entitled 'An act authorizing the city of Binghamton to use a portion of the Chenango canal for a public street,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to amend chapter 104 of the Laws of 1877, entitled 'An act to authorize the treasurer of Monroe county to sell property for unpaid taxes,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

"An act to amend the law of evidence," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to provide for the improvement of Morningside park in the city of New York and of the streets and avenues bounding said park," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act in relation to common lands of the town of Gravesend," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Pursuant to the 9th joint rule, Mr. Speaker announced the order of business, third reading of bills.

Senate bill entitled "An act to amend sections 17 and 18 of article 2, title 9, chapter 9, part 1 of the Revised Statutes, entitled 'Of the Canal Commissioners and their general powers and duties,' " being announced for a third reading, on motion of Mr. Hurd, and by unanimous consent, said bill was amended in words following:

Add after the word "incurred" in engrossed bill, at end of section 1, the words "and" to submit the same to the Canal Board for their approbation;" also in section 2, line 4, after the word "by," add "the Canal Board or."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Ingersoll	Shanley
Andrews	Davis	Kennedy	Sheridan
Ash	Deane	Lefever	Sipp
Baker, B. F.	Duell	Liddle	Sisson
Baker, C. S.	Duguid	Lindsay	Skinner
Beach	Evans	Low	Slingerland
Beates	Ferris	McAvoy	Terpany
Benedict, T. E.	Fish	McCabe	Titus
Bradley	Fiske	McTernan	Tozier
Bridges	Fitzgerald	Mead	Travis
Bullock	Gibbs	Mooers	Tully
Case	Gray	Morgan	Tuthill, H. H.
Catlin	Griggs	Newman	Tuttle, R. M.
Chamberlain	Grosse	Phillips	Van Valkenburgh
Chase	Gwinup	Potter	Varnum
Chickering	Hayes	Rhodes	Wells, J. L.
Comstock	Hoffman	Roberts	Wiley
Congdon	Howland	Root	Youngs
Cookinham	Hurd	Sanders	Mr. Speaker
Cullinan	Husted		

*Ordered,* That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same, with amendments.

Mr. Alvord moved to lay said order of business on the table for the purpose of taking up order of business introduction of bills and reports of standing committees.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Curtis introduced a bill entitled "An act to provide for the assessment and collection of taxes upon bonds issued by the several towns, cities and villages of this State to aid in the construction of the several railroads of the State, and to provide a sinking fund for the redemption of said bonds," which was read the first time, and by unanimous consent was also read the second time, and referred to the special committee on taxation.

Mr. Beates introduced a bill entitled "An act to protect black bass and other fish in the Delaware river or in any of its tributaries," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Lindsay introduced a bill entitled "An act to amend chapter 554 of the Laws of 1873, entitled 'An act amending chapter 837, Laws of 1868, and chapter 623, Laws of 1869, in reference to the laying out, opening and continuing Bushwick avenue in the town of New Lots, Kings county,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. E. D. Benedict introduced a bill entitled "An act for the relief of Nathaniel C. Smith, town of New Lots, Kings county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Shanley introduced a bill entitled "An act to amend chapter 945 of the Laws of 1867, entitled 'An act to regulate the use of certain slips, piers or wharves on the East river in the city of New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Varnum introduced a bill entitled "An act in regard to markets in the city of New York, and to provide for the rebuilding of the same, and the acquisition of land for market purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Grosse introduced a bill entitled "An act in relation to the courts of record in the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill entitled "An act relating to charitable, benevolent and corrective associations in the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Low introduced a bill entitled "An act for the relief of the town of Somerset, to abolish the office of railroad commissioner of said town, and to enable it to adjust its indebtedness and issue bonds therefor," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Low, and by unanimous consent, said bill was ordered to a third reading and printed.

Mr. Case introduced a bill entitled "An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Phillips introduced a bill entitled "An act to regulate the dimensions and measurements of apple barrels," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Bridges introduced a bill entitled "An act to amend chapter 248 of the Laws of 1879, entitled 'An act for the relief of policy-holders in life insurance companies,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Youngs introduced a bill entitled "An act to release the interest of the people of this State in certain real estate of which Paul Pontau, late of the city of Brooklyn, county of Kings, died seized to Nanette Johnson," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

Mr. Rhodes introduced a bill entitled "An act to amend section 1 of title 3 of chapter 5, part 3 of the Revised Statutes relating to the partition of lands," which was read the first time, and by unanimous

consent was also read the second time, and referred to the committee on the judiciary.

Mr. Fiske introduced a bill entitled "An act to extend the time for the collection of taxes in the county of Richmond," which was read the first time, and by unanimous consent was also read the second time, and referred to the sub-committee of the whole.

Mr. Husted introduced a bill entitled "An act to amend further an act entitled 'An act authorizing the formation of railroad corporations and to regulate the same,' passed April 2, 1850," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Tozier introduced a bill entitled "An act in relation to the indebtedness of the towns of Attica and Java in the county of Wyoming," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Husted (introductory No. 326), entitled "An act to regulate the passage of lumber, logs and other timber upon the rivers of this State recognized by law or common use as public highways for the purpose of floating or running lumber, logs and other timber over or upon the same to market or places of manufacture," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Weston (introductory No. 815), entitled "An act for the appointment of game and fish protectors," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Skinner (introductory No. 595), entitled "An act establishing an agricultural experiment station," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Sanders (introductory No. 829), entitled "An act to provide for building a bridge across the Tonawanda Indian reservation, and making an appropriation for the same," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Husted, from the committee on ways and means, to which was referred the Senate bill (introductory No. 127), entitled "An act establishing the salary of the Deputy Comptroller," reported in favor of the passage of the same.

Mr. Husted, from the committee on ways and means, to which was referred the Senate bill (introductory No. 129), entitled "An act to authorize the State Comptroller to issue revenue bonds in anticipation of the State tax, for expenses of government," reported in favor of the passage of the same.

On motion of Mr. Husted, and by unanimous consent, said bills were ordered to a third reading.

Mr. Alvord moved to recommit Senate bill No. 48, entitled "An act to protect the rights of citizens of this State owning and holding



claims against other States," to the committee on the judiciary, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Hurd, from the committee on canals, offered for the consideration of the House the following concurrent resolution, relative to the toll-sheet for 1880 :

*Resolved* (if the Senate concur), That the Legislature do concur in the recommendations of the Canal Board, of the date of March 4th, 1880, as expressed in the appended resolution, except as hereafter recommended in the following resolution :

*Resolved* (if the Senate concur), That the Legislature do consent that the tolls on foreign salt passing over the canals of this State be fixed at  $1\frac{1}{4}$  mills per thousand pounds per mile, and that the toll on domestic salt going toward tide-water be fixed at  $\frac{1}{4}$  mill per thousand pounds per mile.

*Resolved* (if the Senate concur), That the Legislature do consent to the placing of the articles of cut staves and heading, rock phosphates and superphosphates, on the free list, passing over the canals of this State.

STATE OF NEW YORK, CANAL DEPARTMENT, {  
ALBANY, *March 4, 1880.*

At a meeting of the Canal Board, held at the Canal Department on the 3d day of March, the following resolutions were adopted :

*Resolved*, That the Canal Board recommend to the Legislature to concur in the rates of toll on the Black River canal, as stated in the accompanying toll-sheet for the year 1880.

*Resolved*, That the Canal Board recommend to the Legislature to concur in the rates of toll upon the Erie, Oswego, Champlain and Cayuga and Seneca canals, as stated in the accompanying toll-sheet for the year 1880.

RATES OF TOLL—1880.

ESTABLISHED BY THE CANAL BOARD, ON PERSONS AND PROPERTY TRANSPORTED ON THE BLACK RIVER CANAL, TO TAKE EFFECT ON THE OPENING OF NAVIGATION. .

[Toll is to be computed upon the weight ("1,000 pounds per mile") of all articles contained in the following list, unless otherwise stated opposite to the articles excepted.]

	cts.	m.	fr.
Boats.....			Free.
THE FOREST.			
Fur and peltry.....			Free.
<i>Product of Wood.</i>			
Ashes, pot and pearl.....	0	0	5
Ashes, leached.....			Free.
Lath, per M per mile.....	0	0	1
Lath, per 1,000 pounds per mile.....	0	3	0
Staves, heading, etc.....	0	3	0
Shingles, per M per mile.....	0	0	$1\frac{1}{2}$
Shingles, per 1,000 pounds.....	0	0	5

*Wood for Fuel.*

	cts.	m.	fr.
Slab wood, per cord.....	0	1	0
Cord wood, per cord.....	0	2	0
Lumber No. 1.*— By weight, per 1,000 pounds per mile :			
White pine, white-wood, bass-wood, cedar, boards, planks, scantling, and all sidings and other sawed stuff, less than one inch thick (except such as is enumerated in <i>Lumber No. 3</i> ) .....	0	3	0
Oak, hickory, beech, sycamore, black walnut, butternut, maple, ash, elm, fir, tamarack, yew and cherry.....	0	3	0
Hemlock and spruce.....	0	3	0
Lumber No. 2.*— By measurement, per 1,000 feet per mile :			
Boards, planks, scantling, railroad ties, pickets for fences, and sawed timber, siding and other sawed stuff, less than one inch thick, reduced to inch measure (except such as is enumerated in <i>Lumber No. 3</i> ) ; and all kinds of red cedar, cedar posts, estimated that a cord, after deducting for openings, will contain 1,000 feet .....	0	4	0
Hemlock and spruce, per 1,000 feet per mile.....	0	4	0
Lumber No. 3.*— By weight, per 1,000 pounds per mile :			
Hoop poles, hand spikes, rowing oars, broom handles, spokes, hubs, treenails, fellies, boat and ship knees, plane stocks, pickets for fences, railroad ties, last blocks, stuff (manufactured or partly manufactured) for boxes, chairs and bedsteads, hop poles, brush handles, brush backs, looking-glass backs, gun stocks, plow beams and plow handles.....	0	3	0
Sawed stuff for window blinds, not exceeding one-fourth of an inch in thickness.....	0	7	0
[*] *LUMBER shall not be cleared by measurement when carried in a boat having other articles on board paying toll by weight, but such lumber shall in all cases be also cleared by weight.			
When a cargo is composed entirely of lumber, which can be cleared by weight or measure, the whole of such cargo shall be cleared by measurement or by weight, as the shipper or master may elect, and in no case shall a portion of any such cargo be cleared by measurement and the other portion by weight.			
Tan bark, per cord, per mile.....	0	5	0
Timber.*— Squared and round, transported in rafts, per 100 cubic feet . . . . .	1	5	0

## AGRICULTURE.

*Product of Animals.*

Pork.....	Free.
Beef.....	Free.
Bacon.....	Free.
Cheese.....	Free.
Butter.....	Free.
Lard, tallow and lard oil.....	Free.
Wool.....	Free.
Hides.....	0 1 0

[\*] \*In the measurement of timber, bark adhering to the wood and refuse stuff are to be estimated as forming part of the timber, and to be rated accordingly.

*Vegetable Food.*

	cts.	m.	fr.
Flour .....	Free.		
Wheat .....	0	0	5
Rye .....	0	0	5
Corn .....	0	1	0
Corn meal .....	0	1	0
Barley .....	0	0	5
Barley malt .....	0	0	5
Oats .....	0	0	5
Bran and ship stuffs .....	0	0	5
Peas and beans .....	0	0	5
Apples .....	0	0	5
Potatoes .....	0	3	0

*All Other Agricultural Products.*

Dried fruit .....	Free.		
Cotton .....	Free.		
Unmanufactured tobacco .....	Free.		
Hemp .....	Free.		
Clover and grass seed .....	Free.		
Flax seed .....	Free.		
Hops .....	Free.		

**MANUFACTURES.**

Domestic spirits .....	Free.		
Oil meal and cake .....	Free.		
Leather .....	0	1	0
Furniture .....	0	0	5
Bar and pig lead .....	Free.		
Pig iron .....	0	0	5
Bloom and bar iron .....	0	0	5
Castings and iron ware .....	0	0	5
Domestic woolens .....	Free.		
Domestic cottons .....	Free.		
Domestic salt .....	0	0	5
Foreign salt .....	0	2	5

**MERCHANDISE.**

Sugar .....	0	0	5
Molasses .....	0	0	5
Coffee .....	Free.		
Nails, spikes and horse shoes .....	0	0	5
Iron and steel .....	0	0	5
Railroad iron .....	0	0	5
Flint enamel, crockery, glassware .....	0	0	5
All other merchandise .....	0	0	5

*Other Articles.*

Live cattle, hogs and sheep .....	Free.		
Stone, lime and clay .....	0	0	5
Gypsum .....	0	0	5
Anthracite coal .....	0	0	1½
Bituminous coal .....	0	0	1½
Copper ore .....	0	0	5
Iron ore .....	0	0	2½
Petroleum or earth oil, crude and refined .....	0	0	2½
Articles not specified .....	0	0	5

## RATES OF TOLL—1880.

ESTABLISHED BY THE CANAL BOARD, ON PERSONS AND PROPERTY TRANSPORTED ON THE ERIE, CHAMPLAIN, OSWEGO, AND THE CAYUGA AND SENECA CANALS, TO TAKE EFFECT ON THE OPENING OF NAVIGATION.

[Toll is to be computed upon the weight ("1,000 pounds per mile") of all articles contained in the following list, unless otherwise stated, opposite to the articles excepted.]

	TOWARDS TIDE.			FROM TIDE.		
	cts.	m.	fr.	cts.	m.	fr.
Boats.....	Free.			Free.		

## THE FOREST.

Fur and peltry.....	Free.			Free.		
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*Product of Wood.*

Ashes, pot and pearl.....	0	0	5	0	0	2½
Ashes, leached.....	Free.			Free.		
Lath, per M per mile.....	0	0	1	0	0	1
Lath, per 1,000 pounds per mile.....	0	0	7½	0	0	7½
Staves, heading, etc.....	0	0	5	0	0	5
Shingles, per M per mile.....	0	0	1½	0	0	1½
Shingles, per 1,000 pounds.....	0	0	5	0	0	5

*Wood for Fuel.*

Slab wood, per cord.....	0	1	0	0	1	0
Cord wood, per cord.....	0	2	0	0	2	0
Lumber No. 1.* By weight, per 1,000 pounds per mile:						

White pine, white-wood, bass-wood, cedar, boards, planks, scantling, and all sidings and other sawed stuff, less than one inch thick (except such as is enumerated in *Lumber No. 3*).....

0 0 7½ 0 0 7½

Oak, hickory, beech, sycamore, black walnut, butternut, maple, ash, elm, fir, tamarack, yew and cherry.....

0 0 5 0 0 5

Hemlock and spruce.....

0 0 3½ 0 0 3½

Lumber No. 2.\*—By measurement, per 1,000 feet per mile:

Boards, planks, scantling, railroad ties, pickets for fences, and sawed timber, siding and other sawed stuff, less than one inch thick, reduced to inch measure (except such as is enumerated in *Lumber No. 3*); and all kinds of red cedar, cedar posts, estimated that a cord, after deducting for openings, will contain 1,000 feet,

0 1 5 0 1 5

Hemlock and spruce, per 1,000 feet per mile.....

0 1 0 0 1 0

Lumber No. 3.\*—By weight, per 1,000 pounds per mile:

\* In the measurement of timber, bark adhering to the wood and refuse stuff are to be estimated as forming part of the timber, and to be rated accordingly.

TOWARDS TIDE. FROM TIDE.  
cts. m. fr. cts. m. fr.

Hoop poles, hand spikes, rowing oars, broom handles, spokes, hubs, treenails, fellies, boat and ship knees, plane stocks, pickets for fences, railroad ties, last blocks, stuff (manufactured or partly manufactured) for boxes, chairs and bedsteads, hop poles, brush handles, brush backs, looking-glass backs, gun stocks, plow beams and plow handles .....	0	0	7½	0	0	7½
Sawed stuff for window blinds, not exceeding one-fourth of an inch in thickness, .....	0	2	0	0	2	0
Timber.*—Squared and round, transported in rafts, per 100 cubic feet.....	0	5	0	0	5	0

\* LUMBER shall not be cleared by measurement when carried in a boat having other articles on board paying toll by WEIGHT, but such lumber shall in all cases be also cleared by weight.

When a cargo is composed entirely of lumber, which can be cleared by weight or measure, the whole of such cargo shall be cleared by measurement or by weight, as the shipper or master may elect, and in no case shall a portion of any such cargo be cleared by measurement and the other portion by weight.

#### AGRICULTURE.

##### *Product of Animals.*

Pork .....	Free.	Free.
Beef .....	Free.	Free.
Bacon.....	Free.	Free.
Cheese .....	Free.	Free.
Butter .....	Free.	Free.
Lard, tallow and lard oil.....	Free.	Free.
Wool .....	Free.	Free.
Hides .....	0 0 5	0 0 2½

##### *Vegetable Food.*

Flour .....	Free.	Free.
Wheat .....	0 0 5	0 0 2½
Rye .....	0 0 5	0 0 2½
Corn .....	0 0 5	0 0 2½
Corn meal .....	Free.	Free.
Barley.....	0 0 5	0 0 2½
Barley malt.....	0 0 5	0 0 2½
Oats .....	0 0 5	0 0 2½
Bran and ship stuffs.....	0 0 5	0 0 2½
Peas and beans.....	0 0 5	0 0 2½
Apples .....	0 0 5	0 0 2½
Potatoes.....	0 0 5	0 0 2½
Dried fruit.....	Free.	Free.

##### *All Other Agricultural Products.*

Cotton.....	Free.	Free.
Unmanufactured tobacco.....	Free.	Free.
Hemp .....	Free.	Free.

	TOWARDS TIDE. cts. m. fr.	FROM TIDE. cts. m. fr.
Clover and grass seed.....	Free.	Free.
Flax seed.....	Free.	Free.
Hops.....	Free.	Free.

# MANUFACTURES.

Domestic spirits.....	Free.	Free.
Oil meal and cake.....	Free.	Free.
Leather.....	Free.	Free.
Furniture.....	0 0 5	0 0 2½
Bar and pig lead.....	Free.	Free.
Pig iron.....	0 0 5	0 0 2½
Bloom and bar iron.....	0 0 5	0 0 2½
Castings and iron ware.....	0 0 5	0 0 2½
Domestic woolens.....	Free.	Free.
Domestic cottons.....	Free.	Free.
Domestic salt.....	0 0 5	0 0 5
Foreign salt.....	0 1 0	0 1 0

# MERCHANDISE.

Sugar.....	0 0 5	0 0 2½
Molasses.....	0 0 5	0 0 2½
Coffee.....	Free.	Free.
Nails, spikes and horse shoes.....	0 0 5	0 0 2½
Iron and steel.....	0 0 5	0 0 2½
Railroad iron.....	0 0 5	0 0 2½
Flint enamel, crockery and glassware.....	0 0 5	0 0 2½
All other merchandise.....	0 0 5	0 0 2½

# Other Articles.

Live cattle, hogs and sheep.....	Free.	Free.
Stone, lime and clay.....	0 0 5	0 0 2½
Gypsum.....	0 0 5	0 0 2½
Anthracite coal.....	0 0 1½	0 0 1½
Bituminous coal.....	0 0 1½	0 0 1½
Copper ore.....	0 0 5	0 0 2½
Iron ore.....	0 0 2½	0 0 2½
Petroleum or earth oil, crude and refined.....	0 0 2½	0 0 2½
Articles not specified.....	0 0 5	0 0 2½

# STATE OF NEW YORK, CANAL DEPARTMENT.

I certify that I have compared the foregoing resolutions and toll-sheets with the original minutes of the Canal Board, on file in this department, and that the same are true copies of the originals as adopted by the Canal Board upon the days of which they bear date.

In witness whereof, I have hereunto set my hand and affixed my official seal, this 4th day of March, in the year 1880.

[L. S.]

GEORGE W. SCHUYLER, Auditor.

Said resolution was ordered printed and placed on files of members.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Hayes (introductory No. 295), entitled "An act relative to certain improvements in the city of New York," reported in favor of the passage of the same with amendments,

which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. J. L. Wells (introductory No. 846), entitled "An act to provide for the redemption of lands sold for unpaid taxes in the 23d and 24th wards of the city of New York," reported in favor of the passage of the same with amendments, and the title amended so as to read as follows: "An act in relation to taxes and assessments levied prior to January 1, 1874, in the towns annexed from the county of Westchester to the city of New York," which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 131), entitled "An act to amend chapter 519 of the Laws of 1870, entitled 'An act to amend the charter of the city of Buffalo,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Hayes (introductory No. 57), entitled "An act to amend an act entitled 'An act to establish regulations for the port of New York,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 88), entitled "An act to regulate elections in the city of Brooklyn," reported in favor of the passage of the same with amendments, and the title amended so as to read as follows: "An act to provide for the appointment of a board of elections and of registers, canvassers, inspectors and poll-clerks in the city of Brooklyn, and to fix their compensation," which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 80), entitled "An act to amend an act entitled 'An act to amend the charter of the city of Brooklyn, and the various amendments thereof,' passed June 28, 1873," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Cookinham (introductory No. 870), entitled "An act to amend the act entitled 'An act to revise the charter of the city of Utica,' passed February 28, 1862, as amended by the act entitled 'An act to amend chapter 18 of the Laws of 1862, entitled 'An act to revise the charter of the city of Utica,' passed May 20, 1876,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Van Valkenburgh (introductory No. 855), entitled "An act to amend an act entitled 'An act to incorporate the city of Lockport,' passed April 11, 1865, and the acts amendatory thereof," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. McAvoy (introductory No. 899), entitled "An act granting rights to cities, counties and towns," respectfully ask that the same be referred to the committee on general laws.

Mr. Speaker put the question whether the House would agree to grant such request, and it was determined in the affirmative.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Fiske (introductory No. 790), entitled "An act in relation to the police force in Richmond county," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Case (introductory No. 771), entitled "An act to amend chapter 180 of the Laws of 1845, entitled 'An act to reduce the number of town officers and town and county expenses, and to prevent abuses in auditing town and county accounts, and the act amendatory thereof, chapter 455 of the Laws of 1847,'" respectfully ask that the same be referred to the committee on the judiciary.

Mr. Speaker put the question whether the House would agree to grant such request, and it was determined in the affirmative.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Bullock (introductory No. 852), entitled "An act to provide for the protection of mechanics and others performing labor, sinking or drilling oil or gas wells in this State," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Youngs (introductory No. 830), entitled "An act in relation to the overseers of the poor of the town of Flushing, Queens county," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Strait (introductory No. 880), entitled "An act to amend an act entitled 'An act to amend the charter of the village of Nassau, in the county of Rensselaer,' passed April 17, 1866," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was recommended the bill introduced by Mr. Fiske (introductory No. 381), entitled "An act to amend, revise and consolidate an act entitled 'An act to incorporate the village of New Brighton,' passed April 20, 1866, and amended April 22, 1867, April 27, 1871, March 27, 1872 and May 14, 1873, and May 17, 1875, so that the several sections thereof shall read respectively as follows," reported in favor of the passage of the same with amendments, and with the title amended, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was referred the Senate bill (introductory No. 134), entitled "An act to amend chapter 330 of the Laws of 1850, entitled 'An act re-incorporating the village of Little Falls by the name of Rockton, and the



acts amendatory thereof," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Youngs (introductory No. 805), entitled "An act to amend chapter 510 of Laws of 1869, entitled 'An act to incorporate the village of Flushing,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Titus, from the sub-committee of the whole, made a report; which was laid on the table and ordered printed.

(See Doc. No. 97.)

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act in relation to leases by railroad corporations."

"An act to facilitate the erection of a new building by the New York Produce Exchange in the city of New York, by authorizing the closing of Marketfield street, and the sale of a lot of land and building on Stone street in said city, the property of the mayor, aldermen and commonalty of the city of New York."

Mr. Potter, from the committee on public education, to which was referred the bill introduced by Mr. Fiske (introductory No. 844), entitled "An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general laws relating to public instruction,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Potter, from the committee on public education, to which was referred the bill introduced by Mr. E. D. Benedict (introductory No. 799), entitled "An act to amend section No. 2, chapter 405 of the Laws of 1877, entitled 'An act to amend sections 2 and 10 of chapter 248 of the Laws of 1878,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Bradley, from the committee on State charitable institutions, to which was referred the bill introduced by Mr. Mitchell (introductory No. 860), entitled "An act to amend chapter 234 of the Laws of 1866, entitled 'An act to incorporate the German Hospital in the city of New York,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Bradley, from the committee on State charitable institutions, to which was referred the bill introduced by Mr. I. S. Carpenter (introductory No. 809), entitled "An act to permit the admission of persons not paupers into the asylums of the State," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

A message from the Senate was received and read, informing of concurrence in the passage of the bill entitled as follows:

"An act to authorize the Knickerbocker Casualty Insurance Company of New York to change the name thereof to the Fidelity and Casualty Insurance Company of New York."

*Ordered*, That the Clerk deliver said bill to the Governor.

Mr. Hayes, from the committee on expenditures of the House, reported a resolution in words following:

*Resolved*, That the superintendent of the Capitol be requested to substitute for the chairs now in use in the Assembly, a cane-seat revolving chair. Said change to be made under the direction of the Clerk of the Assembly.

Mr. Congdon moved the previous question.

Mr. Speaker put the question "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the adoption of said resolution, and it was determined in the negative.

Mr. Brennan offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 479, general orders No. 534, entitled "An act to authorize the Comptroller to admit unpaid taxes of the year 1879 assessed upon lands bid in by the State at the State tax sale of 1877, and to which the State acquired title from said tax sale," be sent to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Husted, and at 1 o'clock and 35 minutes, the House adjourned until Monday evening at 8 o'clock.

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## MONDAY EVENING, MARCH 29, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Patterson.

The journal of Friday was read and approved.

The Senate returned the concurrent resolution providing for printing 1,000 extra copies of the Report of the Trustees of the State Library, with a message that they had concurred in the amendment of the Assembly thereto.

*Ordered*, That the Clerk return said resolution to the Senate.

A message from the Senate was received and read, informing of concurrence in the following resolutions:

"Providing for the printing of 2,500 copies of the Report of the Superintendent of Public Instruction."

Also,

"Providing for the printing of 2,400 copies of the Report of Engineer and Surveyor on Railroads; also, ten copies for each Senator and Member; also, one copy for each officer and reporter."

Also,

"For the printing of 1,500 copies of the last report of the State Engineer and Surveyor on the Canals."

A message from the Senate was received and read informing of concurrence in the passage of the bills entitled as follows:

"An act to confirm and legalize the acts of Albert C. Frost as notary public, of the county of Schuyler, since March 30, 1878."

"An act to authorize the completion of a bridge over the Erie canal in the city of Buffalo."

"An act for the relief of persons who performed the duties of clerks

and assistant clerks of district courts in the city of New York in the year 1876."

*Ordered*, That the Clerk deliver said bills to the Governor.

Mr. Titus, from the sub-committee of the whole, called from the table a report in words following :

*Report of the sub-committee of the whole.*

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 258, printed No. 240, entitled "An act to release and convey to Emily Wundus the interest of the people of the State of New York in certain real estate in the city of Lockport," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 259, printed No. 241, entitled "An act to release certain lands which have escheated to the State to Francis Marrin, father of Francis Marrin, late of the village of Fairport, Monroe county, New York," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 260, printed No. 242, entitled "An act to release to Ellen Kennedy and others the right, title and interest of the people of the State of New York in and to certain real estate in the county of Madison, of which Richard Kennedy died seized," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 414, printed No. 380, entitled "An act to transfer to Cornell University the securities, moneys and contracts constituting and relating to the Cornell Endowment Fund," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 444, printed No. 406, entitled "An act extending the provisions and benefits of the mechanics' lien laws to excavations, dredging or substructure for wharves, piers, or slips between such wharves or piers, and to the construction, deepening or improvement of any water-course, channel or basin," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 496, printed No. 449, entitled "An act relating to the care of animals," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 241, printed No. 224, entitled "An act to provide for the payment of certain assessments on property of the Bridge Street African Methodist Episcopal Church of the city of Brooklyn," reported in favor of the passage of the same, with an amendment as follows :

Section one, line two, strike out the words "two-thirds," and insert "majority."

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 281, printed No. 21, entitled "An act to amend chapter four hundred and forty-six of the Laws of eighteen hundred and seventy-four, entitled 'An act to revise and consolidate the Statutes of the State relating to the care and custody of the insane,

the management of the asylums for their treatment and safe-keeping, and the duties of the State Commissioner in Lunacy," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 158, printed No. 147, entitled "An act to amend chapter one hundred and twenty-one of the Laws of eighteen hundred and thirty-five, entitled 'An act to incorporate the Young Men's Association,'" reported in favor of the passage of the same, with amendments as follows:

Section one, line one, strike out the word "Troy," also in line seven strike out the word "the" and insert "The Troy."

Section two, line ten, strike out "Uri Gilbert," and insert "William E. Gilbert."

Add at the end of section two the following:

"All vacancies occurring in said board by reason of death, removal from the city or otherwise, may be filled by the remaining members of said board."

Also to amend the title by inserting before the words "Young Men's Association," the word "Troy."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 263, printed No. 245, entitled "An act to amend chapter four hundred and fifteen of the Laws of eighteen hundred and seventy-seven, entitled 'An act for the protection of dairymen, and to prevent deception in sales of butter,'"

On motion said bill was referred back to the Assembly, and the committee recommend that said bill be recommitted to the committee on agriculture.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 475, printed No. 432, entitled "An act to organize a fire department in the village of Madrid, St. Lawrence county, New York," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 492, printed No. 446, entitled "An act in relation to the payment of costs on arrest, trial and punishment for crimes and misdemeanors in villages, and in relation to the civil jurisdiction of police justices therein," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 472, printed No. 429, entitled "An act to amend chapter two hundred and ninety-one of the Laws of eighteen hundred and seventy, entitled 'An act for the incorporation of villages,'" reported in favor of the passage of the same, with amendments as follows:

Section one, line thirteen, after the word "make" insert "a;" same line make the word "contracts" read "contract;" line fifteen, after the word "purposes" insert "for a term not exceeding five years."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 249, printed No. 232, entitled "An act to authorize the appropriation of the moneys raised by the town of Otsego, in the county of Otsego, under chapter four hundred and eighty-two of the Laws of eighteen hundred and seventy-five, to pay moneys borrowed by the supervisor of said town and used to secure to

said town the use of the Otsego county court-house building, for town hall purposes," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 239, printed No. 222, entitled "An act to legalize and confirm the action of the board of supervisors of the county of Ulster in the division of the town of Kingston, in said county, by erecting the town of Ulster therefrom and attaching a portion thereof to the town of Woodstock, in said county," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 345, printed No. 319, entitled "An act concerning the manufacture of salt and the inspection thereof," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 386, printed No. 112, entitled "An act to confirm the proceedings of the board of trustees of the village of Attica relating to the sale and purchase of real estate," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 299, printed No. 276, entitled "An act to release and grant the interest of the people of the State of New York in certain real estate in the city of Brooklyn, in the county of Kings, and State of New York, to Mary Ryan," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 465, printed No. 424, entitled "An act to alter and define the boundaries of the first and third judicial districts of the city of New York," reported in favor of the passage of the same, with amendments as follows:

To change section three so as to read as follows:

§ 3. At the general State election to be held in the city of New York in the year eighteen hundred and eighty-one, justices shall be elected in and for the said first and third judicial districts as the same are hereby constituted, in the same manner as the law now directs the justices of district courts in said city to be elected, who shall hold office for the term of six years from the first day of January, eighteen hundred and eighty-two.

To make section "three" to section "four;" to make section "four" to section "five."

Also to amend the title so that it will read:

"An act to alter and define the limits and boundaries of the first and third judicial districts of the city of New York, and to provide for the election of justices therein."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 456, printed No. 413, entitled "An act to further amend chapter one hundred and seventy-five of the Laws of eighteen hundred and seventy-eight, entitled "An act to amend section two, chapter thirty-three of the Laws of eighteen hundred and seventy-eight, entitled "An act to amend chapter five hundred and sixteen of the Laws of eighteen hundred and sixty-seven, entitled "An act for the further protection of female employees in the city of New York," reported in favor of the passage of the same, with an amendment as follows:

To add at the commencement of section one the following:

Section one of chapter one hundred and seventy-five of the Laws of eighteen hundred and seventy-eight, entitled "An act to amend section two of chapter thirty-three of the Laws of eighteen hundred and seventy-eight, entitled 'An act to amend chapter five hundred and sixteen of the Laws of eighteen hundred and sixty-seven, entitled 'An act for the further protection of female employees in the city of New York,'" is hereby amended so as to read as follows:

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 84, printed No. 84, entitled "An act in relation to the sale, and the proceeds of sale, of certain school property in the city of Albany," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 359, printed No. 333, entitled "An act to provide for the navigation of the waters of the Wallkill creek, in the county of Ulster, by steamboats," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 478, printed No. 433, entitled "An act to amend chapter two hundred and sixty-eight of the Laws of eighteen hundred and seventy-seven, entitled 'An act in relation to the collection of taxes and the sales of land therefor in certain towns in Queens county,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 568, printed No. 155, entitled "An act in relation to highway labor and the construction of sidewalks in the village of Whitney's Point," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 482, printed No. 436, entitled "An act to amend an act entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,' passed June twentieth, eighteen hundred and seventy-nine," reported in favor of the passage of the same, with amendments as follows:

To insert at the end of line twenty-three as follows:

"And when the property to be protected shall consist of a lake or pond only, said notices shall be placed, in at least four conspicuous places, upon the shore of such lake or pond."

Also to amend the title by striking out, after the word "amend," the words "An act," and insert "chapter five hundred and thirty-four."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 343, printed No. 317, entitled "An act creating a board of town auditors in the town of Newtown, Queens county, and prescribing their powers and duties," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 252, printed No. 235, entitled "An act to repeal chapter one hundred and seventy-six of the Laws of eighteen hundred and seventy-eight, entitled 'An act to repeal chapter four hundred and sixteen of the Laws of eighteen hundred and seventy-six, entitled 'An act to amend chapter four hundred and forty of the Laws of eighteen hundred and seventy-three, entitled 'An act requiring com-

missioners of highways to act as inspectors of plankroads and turn-pikes, so far as the same relates to Ulster county," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 232, printed No. 215, entitled "An act in relation to the county treasurers in the counties of Monroe and Seneca," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 491, printed No. 445, entitled "An act to legalize the acts of Henry Stork as justice of the peace," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 550, printed No. 165, entitled "An act to amend chapter four hundred and sixty-nine of the Laws of eighteen hundred and seventy-three, entitled 'An act relative to the purchasers of the franchises and property of corporations whose franchises and property shall have been sold by mortgage,'" reported in favor of the passage of the same without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 462, printed No. 421, entitled "An act to simplify the proof of the Sanitary Code in the city of New York," reported in favor of the passage of the same without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 459, printed No. 107, entitled "An act further to amend chapter two hundred and seventy of the Laws of eighteen hundred and fifty, entitled 'An act to authorize the appointment of commissioners to take the proof and acknowledgment of deeds and other instruments and to administer oaths in other States and Territories,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill, G. O. 212, printed No. 195, entitled "An act to prevent trespassing and intrusion upon railroad cars and engines," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 280, printed No. 260, entitled "An act to incorporate the Grand Lodge Knights of Pythias of the State of New York," reported in favor of the passage of the same, with an amendment as follows:

Section two, line four, after the word "annually" insert "except the supreme representative who shall be elected biennially."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 461, printed No. 420, entitled "An act to limit commitments of children in the city and county of New York," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 516, printed No. 462, entitled "An act to authorize the sale of subdivision number fifteen of block number twenty-seven, in the third ward, and a part of subdivision eighteen of block number one hundred and forty-eight, in the sixth ward, of the city of Oswego," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 569, printed No. 149, entitled "An act to

confirm the election of trustees in the village of Hastings-on-Hudson, in the county of Westchester, and to provide for their election hereafter," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 456, printed No. 111, entitled "An act to exempt certain towns of this State from the provisions of chapter four hundred and thirty-one of the Laws of eighteen hundred and seventy-five, entitled 'An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 493, printed No. 447, entitled "An act to amend section five of chapter four hundred and forty-eight of the Laws of eighteen hundred and seventy-six, entitled 'An act relating to courts, officers of justice and civil proceedings,'" reported in favor of the passage of the same, without amendment.

Mr Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 147, not printed, entitled "An act to amend chapter four hundred and seventy-six of the Laws of eighteen hundred and sixty-nine, entitled 'An act to establish the office of receiver of taxes in the town of New Rochelle, in the county of Westchester,'" reported in favor of the passage of the same, with amendments as follows:

To amend by making the following as section one:

§ 1. "Section one of chapter four hundred and seventy-six of the Laws of eighteen hundred and sixty-nine, entitled 'An act to establish the office of receiver of taxes in the town of New Rochelle, in the county of Westchester,' is hereby amended so as to read as follows:"

§ 1. The office of receiver of taxes is hereby created in and for the town of New Rochelle, in the county of Westchester, to receive and collect all taxes hereafter to be assessed and collected in said town in any of the school districts or corporations therein. The term of office of receiver of taxes shall be two years, commencing on and after the first day of May, eighteen hundred and eighty-two, such receiver shall be elected by the electors of said town of New Rochelle, and shall be voted for on a separate ballot, indorsed "receiver," in the same manner as a member of assembly is voted for in said town. The said receiver of taxes and assessments shall be elected under this act at the annual town meeting to be held in said town in the year eighteen hundred and eighty-two, and at each alternate town meetings thereafter, except that when a vacancy shall occur in said office, the election for such receiver shall be held at the next town meeting thereafter; any vacancy in the said office of receiver of taxes may be filled until a new receiver shall be elected and qualified, by a joint board of the town auditors of the town of New Rochelle, the president and trustees of the village of New Rochelle, the supervisor of the town, and in his absence, or upon his refusal or inability to do so, the president of said village shall call said joint board together. The clerk of every town meeting, within ten days thereafter, shall transmit to the person elected as receiver under this act a notice or certificate of his election.

Also to change section "one" to section "two;" and change section "two" to section "three."



Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 295, printed No. 273, entitled "An act to amend an act entitled 'An act to establish a board of education in and for the village school district of the town of Malone, in the county of Franklin, and for other purposes,' being chapter seven of the Laws of eighteen hundred and sixty-seven," reported in favor of the passage of same, with an amendment.

Mr. Curtis moved that this House do disagree with that part of the report of the committee that relates to Assembly bill No. 245 entitled "An act to amend chapter 415 of the Laws of 1877, entitled 'An act for the protection of dairymen and to prevent deception in sales of butter,'" and that the sub-committee of the whole be discharged from the further consideration of said bill, and that it be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Chamberlain moved to disagree with so much of said report as relates to Senate bill No. 136, entitled "An act to facilitate the carrying out of plans and assessments for the reorganization of railroads," and that said bill, with so much of said report, do lay upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the remainder of said report, and it was determined in the affirmative.

*Ordered*, That said bills be engrossed for a third reading.

The Private Secretary of the Governor appeared before the bar of the House, and presented a message in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, *March 29*, 1880. }

*To the Assembly:*

Assembly bill No. 39, entitled "An act to release all that part of the waters of Lake Ontario, together with its bays and inlets, in the county of Jefferson and in that part of Oswego county lying between its Jefferson county line and the western line of the town of Mexico, saving and excepting Henderson harbor and bay and within one-half mile of the outlet or mouth of Salmon river, from the operation of the provisions of sections 23 and 26 of chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,'" is herewith returned without approval.

The preservation of game and fish has been for many years a perplexing subject of legislation. The last Legislature enacted a carefully prepared and comprehensive statute to supersede the many and conflicting laws then in force, which was intended as a relief from the constantly recurring demands for special legislation in this respect.

The object of this bill is to release a limited portion of the waters of Lake Ontario from the operation of this act. If there be any reason for exempting this section there are probably equally good reasons for the exemption of other localities; and it may be expected, should this bill take effect, that it will prove only the forerunner of others of like character. If the present law is not satisfactory it should be made so by some general amendment or repealed altogether.

To begin now by releasing one or more localities from its provisions would, in my opinion, be unwise and impolitic.

ALONZO B. CORNELL.

Mr. Skinner moved that said bill, with message, be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in affirmative.

Mr. Husted offered for the consideration of the House the following privileged resolution :

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor requesting the return of Assembly bill No. 113, entitled "An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Alvord offered for the consideration of the House the following privileged resolution :

*Resolved*, That 500 copies of the report of the Superintendent of State Prisons, relative to contract convict labor, made pursuant to a resolution of the last Assembly, together with the accompanying documents, be printed for the use of the superintendent.

*Ordered*, That said resolution be referred to the committee on public printing.

By unanimous consent,

Mr. Dougherty introduced a bill entitled "An act to provide for payment of the expenses of certain proceedings against public officers in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Morgan offered for the consideration of the House a resolution in the words following :

*Resolved*, That Assembly bill No. 434, general orders 480, entitled "An act relating to the banks and prism of the Genesee Valley canal, and for the sale thereof," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. E. D. Benedict introduced a bill entitled "An act authorizing the board of trustees of school district No. 3 of the town of New Lots, in the county of Kings, to issue bonds to the amount of \$10,000, to refund or pay a like amount of bonds issued by said board of trustees for the erection of a school-house, in pursuance of chapter 191 of the Laws of 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

By unanimous consent,

Mr. Cookinham offered for the consideration of the House a resolution in the words following :

*Resolved*, That Assembly bill No. 464, entitled "An act further to

amend chapter 25 of the Laws of 1870, entitled 'An act to incorporate the city of Rome, and chapter 49 of the Laws 1871 amendatory thereof, and to establish a board of police and fire commissioners'; also, Assembly bill No. 171, entitled 'An act to amend sections 4 and 5 of title 2 of chapter 714 of the Laws of 1869, entitled 'An act to incorporate the city of Watertown,' be made a special order for Thursday next, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Pursuant to the ninth joint rule, Mr. Speaker announced the order of business, third reading of bills.

The bill entitled "An act to amend section 9, chapter 11, article 1st, title 2, part 1 of the Revised Statutes, and supplementary thereto," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Gwinup	Sanders
Andrews	Costello	Hayes	Seeley
Baker, B. F.	Cullinan	Hurd	Sheridan
Baker, C. S.	Curtis	Husted	Sherman
Beach	Cushing	Kennedy	Shuit
Beates	Davis	Lefever	Sisson
Benedict, E. D.	Deane	Liddle	Skinner
Bennett	Dougherty	Lindsay	Slingerland
Bridges	Douglass	Low	Tallmadge
Brodsky	Duell	McAvoy	Terpeny
Bullock	Evans	Miller	Titus
Carpenter, I. S.	Ferris	Mitchell	Travis
Case	Fish	Mooers	Tuthill, H. H.
Chamberlain	Fiske	Morgan	Tuttle, R. M.
Chickering	Fitzgerald	Nowlan	Van Valkenburgh
Childs	Gillette	O'Brien	Waterbury
Clark	Gorsline	Peck	Wells, D. A.
Clowes	Gray	Potter	Wells, J. L.
Comstock	Griggs	Root	Wiley
Congdon	Grosse	Russell	Wren

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act granting the consent of the State of New York to the purchase by the United States of certain lands, pond and rights for the purpose of increasing the water supply of West Point, New York, and ceding jurisdiction over said lands and pond."

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, two-thirds of all the members elected to the Assembly not voting in favor thereof.

{ AYES 81 }  
{ NOES 4 }

Those who voted in the affirmative, were

Alvord	Cookinham	Hurd	Sanders
Andrews	Costello	Kennedy	Seeley
Baker, B. F.	Cullinan	Lefever	Shanley
Baker, C. S.	Curtis	Lindsay	Sherman
Beach	Davis	Low	Sipp
Beates	Deane	McAvoy	Sisson
Benedict, E. D.	Douglass	Miller	Skinner
Benedict, T. E.	Duguid	Mitchell	Slingerland
Bennett	Evans	Mooers	Steele
Bridges	Ferris	Morgan	Strait
Brodsky	Fish	Newman	Tallmadge
Bullock	Fiske	Nowlan	Terpeny
Carpenter, I. S.	Fitzgerald	O'Brien	Titus
Case	Gillette	Peck	Treanor
Chamberlain	Gorsline	Phillips	Tully
Chickering	Gray	Pitcher	Tuthill, H. H.
Childs	Griggs	Potter	Van Valkenburgh
Clark	Grosse	Rhodes	Wells, D. A.
Clowes	Gwinup	Root	Wren
Comstock	Havens	Russell	Mr. Speaker
Congdon	Hayes		

Those who voted in the negative, were

Cushing	Shuit	Walsh	Waterbury
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Mr. Alvord moved to reconsider the vote by which said bill was lost, and that this motion do lay upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows:

"An act to enable the Forsyth Street Methodist Episcopal Church to transfer its real estate to trustees."

The bill entitled "An act to revise and consolidate the general acts relating to the relief and support of indigent persons," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Kennedy	Seeley
Andrews	Curtis	Lefever	Sheridan
Baker, B. F.	Davis	Lindsay	Shuit
Baker, C. S.	Deane	Low	Sipp
Beach	Dougherty	McAvoy	Sisson
Beates	Douglass	Miller	Skinner
Benedict, E. D.	Duguid	Mitchell	Slingerland
Benedict, T. E.	Evans	Mooers	Strait
Bennett	Ferris	Morgan	Tallmadge
Bridges	Fish	Newman	Titus
Brodsky	Fiske	Nowlan	Travis

Bullock	Fitzgerald	O'Brien	Treanor
Carpenter, I. S.	Gorsline	Peck	Tuthill, H. H.
Case	Gray	Phillips	Van Valkenburgh
Chickering	Griggs	Potter	Walsh
Childs	Grosse	Rhodes	Waterbury
Clark	Gwinup	Root	Wells, D. A.
Clowes	Havens	Russell	Wiley
Congdon	Hayes	Sanders	Youngs
Cookinham	Hurd		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to enable the Forsyth Street Methodist Episcopal Church to transfer its real estate to trustees," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 78 }  
{ NOES 00 }

• Those who voted in the affirmative, were

Alvord	Cullinan	Hoffman	Sanders
Andrews	Curtis	Hurd	Seeley
Baker, B. F.	Cushing	Husted	Sherman
Baker, C. S.	Davis	Kennedy	Shuit
Beach	Deane	Lefever	Sipp
Beates	Dougherty	Liddle	Siason
Benedict, T. E.	Douglass	Low	Skinner
Bennett	Duell	McAvoy	Slingerland
Bridges	Duguid	Miller	Tallmadge
Brodskey	Ferris	Mitchell	Terpeny
Bullock	Fish	Mooers	Titus
Carpenter, I. S.	Fiske	Morgan	Treanor
Case	Fitzgerald	Nowlan	Tully
Chamberlain	Gillette	O'Brien	Tuthill, H. H.
Chickering	Gorsline	Peck	Waterbury
Childs	Gray	Phillips	Wells, D. A.
Clark	Griggs	Potter	Wiley
Clowes	Grosse	Root	Wren
Cookinham	Gwinup	Russell	Youngs
Costello	Havens		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to legalize and confirm the election of officers for the village of Macedon, in the county of Wayne," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 81 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	Kennedy	Seeley
Andrews	Davis	Lefever	Shanley
Baker, B. F.	Deane	Liddle	Sheridan

Baker, C. S.	Dougherty	Lindsay	Sherman
Beach	Douglass	Low	Shuit
Beates	Duell	McAvoy	Sipp
Benedict, E. D.	Duguid	Mead	Sisson
Bennett	Ferris	Miller	Skinner
Bridges	Fish	Mitchell	Slingerland
Brodsky	Fiske	Mooers	Steele
Bullock	Gillette	Morgan	Tallmadge
Carpenter, I. S.	Gorsline	Nowlan	Terpeny
Chamberlain	Gray	O'Brien	Titus
Chickering	Griggs	Peck	Travis
Childs	Grosse	Phillips	Tully
Clowes	Gwinup	Pitcher	Tuthill, H. H.
Congdon	Havens	Potter	Waterbury
Cookinham	Hayes	Root	Wells, D. A.
Costello	Hoffman	Russell	Wiley
Cullinan	Husted	Sanders	Youngs
Curtis			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message was received from the Governor in words following :

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, *March 29, 1880.* }

*To the Assembly :*

Pursuant to a joint resolution of the Senate and Assembly, herewith is returfed for amendment Assembly bill No. 48, entitled "An act to exempt the town of Guilford, Chenango county, from the provisions and operation of chapter 175 of the Laws of 1870, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties.'"

ALONZO B. CORNELL.

Mr. Curtis moved to reconsider the vote by which such bill was passed.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 73 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	Kennedy	Seeley
Andrews	Davis	Lefever	Shanley
Baker, B. F.	Deane	Liddle	Sheridan
Baker, C. S.	Dougherty	Lindsay	Sherman
Beach	Douglass	Low	Sisson
Beates	Duell	McAvoy	Skinner
Benedict, E. D.	Duguid	Mead	Slingerland
Bridges	Ferris	Miller	Steele
Bullock	Fish	Mitchell	Tallmadge
Carpenter, I. S.	Gillette	Mooers	Terpeny
Chamberlain	Gorsline	Nowlan	Titus
Chickering	Gray	O'Brien	Travis
Childs	Griggs	Peck	Tully
Clark	Grosse	Potter	Tuthill, H. H.

Congdon	Gwinup	Rhodes	Wells, D. A.
Cookinham	Hayes	Root	Wells, J. L.
Costello	Hoffman	Russell	Wiley
Cullinan	Husted	Sanders	Youngs
Curtis			

On motion of Mr. Curtis, and by unanimous consent, said bill was amended as follows :

Section 1, line 1, change "*town*" to "*towns*"; after word "*Guilford*" insert "*and Greene*"; change "*is*" to "*are*."

Line 2, change "*seventy-five*" to "*eighty*."

Line 3, change "*seventy*" to "*seventy-five*."

Amend title so as to read "An act to exempt the towns of Guilford and Greene, Chenango county, from the provisions and operation of chapter 180 of the Laws of 1870, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties.'"

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Cullinan	Kennedy	Sherman
Andrews	Curtis	Lefever	Shuit
Baker, B. F.	Cushing	Liddle	Sipp
Baker, C. S.	Davis	Low	Sisson
Beach	Deane	McAvoy	Skinner
Beates	Dougherty	Mead	Slingerland
Benedict, E. D.	Douglass	Miller	Steele
Benedict, T. E.	Duell	Mitchell	Strait
Bennett	Duguid	Mooers	Tallmadge
Bridges	Ferris	Morgan	Terpeny
Brodsky	Fish	Nowlan	Titus
Bullock	Fiske	O'Brien	Travis
Carpenter, I. S.	Gillette	Peck	Treanor
Case	Gorsline	Phillips	Tully
Chamberlain	Gray	Potter	Tuthill, H. H.
Chickering	Griggs	Rhodes	Tuttle, R. M.
Childs	Grosse	Root	Waterbury
Clark	Gwinup	Russell	Wells, D. A.
Clowes	Hayes	Sanders	Wiley
Congdon	Hoffman	Seeley	Wren
Cookinham	Hurd	Shanley	Youngs
Costello	Husted	Sheridan	

Those who voted in the negative, were

Havens

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to legalize the official acts of Barclay Haviland, a justice of the peace in the town of Washington, in the county of Dutchess," was read a third time.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costello	Husted	Shanley
Andrews	Cullinan	Kennedy	Sheridan
Baker, B. F.	Davis	Lefever	Sherman
Baker, C. S.	Deane	Liddle	Sipp
Beach	Dougherty	Lindsay	Sisson
Beates	Douglass	Low	Skinner
Benedict, E. D.	Duell	McAvoy	Slingerland
Benedict, T. E.	Duguid	Mead	Steele
Bennett	Ferris	Miller	Strait
Bridges	Fish	Mitchell	Tallmadge
Brodsky	Fiske	Mooers	Terpeny
Bullock	Gillette	Morgan	Titus
Carpenter, I. S.	Gorsline	Nowlan	Treanor
Case	Gray	Peck	Tully
Chamberlain	Griggs	Phillips	Tuthill, H. H.
Chickering	Gwinup	Potter	Tuttle, R. M.
Childs	Havens	Rhodes	Waterbury
Clark	Hayes	Root	Wells, D. A.
Olowes	Hoffman	Russell	Wren
Congdon	Hurd	Seeley	Youngs
Cookinham			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the revision, amendment and consolidation of the act entitled 'An act to provide for the enrollment of the militia, for the organization of the National Guard of the State of New York, and for the public defense, and entitled 'the Military Code,' and of all acts amendatory thereof and supplemental thereto, or relating to the organization and government of the militia of the State,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Lindsay	Shuit
Andrews	Deane	Low	Sipp
Baker, B. F.	Dougherty	McAvoy	Sisson
Baker, C. S.	Douglass	Mead	Skinner
Beach	Duell	Miller	Steele
Beates	Duguid	Mooers	Strait
Benedict, E. D.	Fiske	Morgan	Tallmadge
Benedict, T. E.	Gillette	O'Brien	Terpeny
Bennett	Gorsline	Peck	Titus
Bridges	Gray	Phillips	Travis
Brodsky	Griggs	Pitcher	Treanor
Bullock	Grosse	Potter	Tully
Carpenter, I. S.	Gwinup	Rhodes	Tuthill, H. H.
Case	Havens	Root	Tuttle, R. M.
Chickering	Hayes	Russell	Van Valkenburgh
Clark	Hoffman	Sanders	Walsh
Cookinham	Hurd	Seeley	Wells, J. L.



Costello  
Cullinan  
Cushing

Husted  
Lefever  
Liddle

Shanley  
Sherman

Wren  
Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the refunding of a portion of the bonded debt of the town of Westchester, in the county of Westchester, and to restrict the power of the town officers to bond the said town, except as provided in chapter 193 of the Laws of 1877," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Lindsay	Sipp
Andrews	Cushing	Low	Sisson
Baker, B. F.	Davis	McAvoy	Skinner
Baker, C. S.	Deane	Miller	Slingerland
Beach	Dougherty	Mitchell	Steele
Beates	Douglass	Moors	Strait
Benedict, E. D.	Duguid	Morgan	Tallmadge
Benedict, T. E.	Ferris	Nowlan	Terpeny
Bennett	Fish	Peck	Titus
Bridges	Fiske	Phillips	Travis
Brodsy	Gillette	Potter	Treanor
Bullock	Gorsline	Rhodes	Tully
Carpenter, I. S.	Gray	Root	Tuthill, H. H.
Case	Griggs	Russell	Tuttle, E. M.
Chamberlain	Gwinup	Sanders	Walsh
Chickering	Havens	Seeley	Waterbury
Childs	Hoffman	Shanley	Wells, D. A.
Clark	Hurd	Sheridan	Wells, J. L.
Clowes	Kennedy	Sherman	Wren
Congdon	Lefever	Shuit	Youngs
Cookinham	Liddle		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to the jurisdiction of the district courts of the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Lefever	Shuit
Andrews	Curtis	Liddle	Sipp
Baker, B. F.	Davis	Lindsay	Sisson
Baker, C. S.	Deane	Low	Skinner
Beach	Dougherty	McAvoy	Slingerland
Beates	Douglass	Mead	Steele
Benedict, E. D.	Duell	Miller	Strait
Benedict, T. E.	Duguid	Mitchell	Tallmadge

Bennett	Ferris	Morgan	Terpeny
Bridges	Fish	Nowlan	Titus
Brodsky	Fiske	O'Brien	Travis
Bullock	Gillette	Peck	Treanor
Carpenter, I. S.	Gorsline	Phillips	Tully
Case	Gray	Potter	Tuthill, H. H.
Chamberlain	Griggs	Rhodes	Tuttle, R. M.
Chickering	Gwinup	Root	Van Valkenburgh
Childs	Havens	Russell	Walsh
Clark	Hoffman	Sanders	Waterbury
Clowes	Hurd	Seeley	Wells, D. A.
Congdon	Husted	Sheridan	Wells, J. L.
Cookinham	Kennedy	Sherman	Wiley
Costello			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Travis, and by unanimous consent, Assembly bill No. 303, general orders No. 326, entitled "An act to annul chapter 436 of Laws of 1877, entitled 'An act in relation to county treasurers,'" was ordered engrossed for a third reading.

The bill entitled "An act to provide for the election of a town treasurer in the town of Gravesend, in the county of Kings, and to regulate and prescribe the duties of said officer," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	Low	Sisson
Andrews	Davis	McAvoy	Skinner
Baker, B. F.	Deane	Mead	Slingerland
Baker, C. S.	Dougherty	Miller	Steele
Beach	Douglass	Mitchell	Strait
Benedict, E. D.	Duguid	Mooers	Tallmadge
Benedict, T. E.	Ferris	Morgan	Terpeny
Bridges	Fish	Nowlan	Titus
Brodsky	Fiske	O'Brien	Travis
Bullock	Gillette	Peck	Tully
Case	Gorsline	Phillips	Tuthill, H. H.
Chamberlain	Griggs	Potter	Tuttle, R. M.
Chickering	Grosse	Rhodes	Van Valkenburgh
Childs	Gwinup	Roberts	Walsh
Clark	Hayes	Root	Waterbury
Clowes	Hoffman	Russell	Wells, D. A.
Congdon	Husted	Sanders	Wells, J. L.
Cookinham	Kennedy	Sheridan	Wiley
Costello	Lefever	Sherman	Wren
Cullinan	Liddle	Shuit	Youngs
Curtis	Lindsay	Sipp	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to the superintendents of the poor of the county of Westchester, and the keeper of the county house in said county," was read a third time.

Mr. Speaker put the question whether the House would agree to the

final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Lefever	Shuit
Andrews	Curtis	Liddle	Sisson
Baker, B. F.	Davis	Lindsay	Skinner
Baker, C. S.	Deane	Low	Slingerland
Beach	Dougherty	McAvoy	Steele
Beates	Douglass	McDonald	Strait
Benedict, E. D.	Duell	Miller	Tallmadge
Benedict, T. E.	Ferris	Mitchell	Terpeny
Bridges	Fish	Morgan	Titus
Brodsky	Fiske	Nowlan	Travis
Bullock	Gillette	O'Brien	Treanor
Carpenter, I. S.	Gorsline	Peck	Tully
Case	Gray	Phillips	Tuthill, H. H.
Chamberlain	Griggs	Potter	Tuttle, R. M.
Chickering	Grosse	Rhodes	Waterbury
Childs	Gwinup	Root	Wells, D. A.
Clark	Hoffman	Russell	Wells, J. L.
Clowes	Hurd	Sanders	Wiley
Congdon	Husted	Seeley	Wren
Cookinham	Kennedy	Sherman	Youngs
Costello			

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to enable the respective towns in the county of Rensselaer to reduce the number of its town officers," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Lindsay	Shuit
Andrews	Cushing	Low	Sipp
Baker, B. F.	Davis	McAvoy	Sisson
Beach	Deane	Mead	Skinner
Beates	Dougherty	Miller	Slingerland
Benedict, E. D.	Douglass	Mitchell	Steele
Benedict, T. E.	Duguid	Mooers	Strait
Bridges	Ferris	Morgan	Tallmadge
Brodsky	Fish	Newman	Terpeny
Bullock	Fiske	O'Brien	Travis
Carpenter, I. S.	Gorsline	Peck	Tuthill, H. H.
Case	Griggs	Phillips	Tuttle, R. M.
Chamberlain	Grosse	Potter	Walsh
Chickering	Havens	Rhodes	Waterbury
Childs	Hoffman	Root	Wells, D. A.
Clark	Hurd	Russell	Wells, J. L.

Congdon	Husted	Sanders	Wiley
Cookinham	Kennedy	Seeley	Wren
Costello	Lefever	Sherman	Youngs
Cullinan	Liddle		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 376 of the Laws of 1876, as amended by chapter 456 of the Laws of 1879, entitled 'An act to prevent the deposit of mud, earth, soil, ashes or refuse in the North or Hudson river, and to prevent the filling up the navigable waters of said river, and to preserve the navigation thereof,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Hurd	Sheridan
Andrews	Cushing	Husted	Sherman
Baker, C. S.	Davis	Kennedy	Sipp
Beach	Deane	Lefever	Sisson
Beates	Dougherty	Liddle	Skinner
Benedict, E. D.	Douglass	Lindsay	Slingerland
Benedict, T. E.	Duell	Low	Steele
Bridges	Duguid	McAvoy	Strait
Brodsky	Ferris	Mead	Tallmadge
Bullock	Fish	Miller	Terpeny
Carpenter, I. S.	Fiske	Mitchell	Travis
Case	Fitzgerald	Moors	Treanor
Chamberlain	Gillette	Morgan	Tully
Chickering	Gorsline	Nowlan	Tuttle, R. M.
Childs	Gray	Pitchee	Walsh
Clark	Griggs	Potter	Waterbury
Clowes	Grosse	Rhodes	Wells, J. L.
Congdon	Havens	Root	Wiley
Cookinham	Hayes	Russell	Wren
Costello	Hoffman	Seeley	Youngs
Cullinan			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Alvord moved that the afternoon sessions of the House be devoted exclusively to general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Alvord moved that the House adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

The bill entitled "An act to authorize the town of Madrid, in the county of St. Lawrence, to borrow money for the completion of the water-works in the village of Madrid, and for other purposes," was read a third time.

Mr. Speaker put the question whether the House would agree to the

final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 3 }

Those who voted in the affirmative, were

Andrews	Davis	Liddle	Sheridan
Baker, C. S.	Deane	Lindsay	Sherman
Beach	Dougherty	Low	Shuit
Beates	Douglass	McAvoy	Sipp
Benedict, E. D.	Duell	Mead	Sisson
Benedict, T. E.	Duguid	Miller	Skinner
Bridges	Ferris	Mitchell	Slingerland
Brodsky	Fish	Mooers	Steele
Bullock	Fiske	Morgan	Strait
Carpenter, I. S.	Fitzgerald	Newman	Tallmadge
Chamberlain	Gillette	Nowlan	Terpeny
Chickering	Gorsline	O'Brien	Travis
Childs	Gray	Peck	Treanor
Clark	Griggs	Phillips	Tully
Clowes	Havons	Rhodes	Tuthill, H. H.
Congdon	Hayes	Root	Waterbury
Cookinham	Hoffman	Russell	Wells, J. L.
Cullinan	Hurd	Sanders	Wiley
Curtis	Kennedy	Seely	Wren
Cushing	Lefever	Shanley	Mr. Speaker

Those who voted in the negative, were

Alvord	Case	Grosse
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*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

*On motion* of Mr. Slingerland, at 10 o'clock and 10 minutes, the House adjourned.

## TUESDAY MORNING, MARCH 30, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Thomas B. Fulcher.

The journal of yesterday was read and approved.

Mr. Slingerland introduced a bill entitled "An act in relation to a public park in the city of Albany, now known as the Washington Park, supplementary and amendatory to an act passed May 5, 1869, and supplementary and amendatory to subsequent acts, passed April 23, 1870, March 31, 1871, February 16, 1872, March 11, 1873, March 28, 1874, and June 7, 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

A message from the Senate was received and read, informing of concurrence in the passage of the following resolution:

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor, requesting the return of Assembly bill No. 113, entitled "An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes, for amendment.

*Ordered*, That the Clerk deliver said resolution to the Governor.

Pursuant to 9th joint rule, Mr. Speaker announced order of business, third reading of bills.

The bill entitled "An act to legalize the official acts of Samuel Williams, a justice of the peace of Bridgewater, in the county of Oneida," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Havens	Sherman
Ash	Cullinan	Hoffman	Sipp
Baker, B. F.	Curtis	Ingersoll	Skinner
Baker, C. S.	Cushing	Kennedy	Slingerland
Beates	Davis	Lefever	Strait
Benedict, T. E.	Deane	Low	Tallmadge
Bennett	Dougherty	McAvoy	Terpeny
Bradley	Douglass	McTernan	Tormey
Brennan	Duell	Miller	Tozier
Bridges	Duguid	Mooers	Travis
Bullock	Ellis	Morgan	Treanor
Carpenter, E. A.	Ferris	Newman	Tully
Carpenter, I. S.	Fish	Peck	Tuttle, R. M.
Case	Fiske	Rhodes	Van Valkenburgh
Catlin	Fitzgerald	Roberts	Waterbury
Chase	Gorsline	Root	Wells, D. A.
Childs	Gray	Russell	Wells, J. L.
Clowes	Griggs	Seeley	Wren
Comstock	Grosse	Sheridan	Mr. Speaker
Cookinham	Gwinup		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to legalize the acts of George M. Warren, a justice of the peace of the town of Wheatfield, Niagara county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	McAvoy	Sisson
Ash	Davis	McCarthy	Skinner
Baker, B. F.	Deane	McTernan	Slingerland
Baker, C. S.	Douglass	Miller	Steele
Beach	Duguid	Mooers	Strait
Beates	Ellis	Morgan	Tallmadge
Benedict, T. E.	Ferris	Newman	Terpeny
Bennett	Fish	O'Connor	Titus
Brennan	Fiske	Peck	Tormey
Bridges	Fitzgerald	Phillips	Tozier
Bullock	Gillette	Pitcher	Travis

Carpenter, I. S.	Gorsline	Potter	Tully
Case	Gwinup	Potts	Tuthill, H. H.
Chamberlain	Havens	Rhodes	Tuttle, R. M.
Chickering	Hoffman	Roberts	Van Valkenburgh
Childs	Hurd	Russell	Warner
Clowes	Ingersoll	Seeley	Wells, D. A.
Comstock	Kennedy	Sheridan	Wells, J. L.
Cookinham	Liddle	Sherman	Wren
Crapser	Lindsay	Sipp	Youngs
Cullinan	Low		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 589 of the Laws of 1875, entitled 'An act to extend the powers of the trustees of the village of Wilson, in the county of Niagara,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	Lefever	Sherman
Andrews	Davis	Liddle	Shuit
Ash	Deane	Lindsay	Sipp
Baker, B. F.	Douglass	Low	Skinner
Baker, C. S.	Duell	McAvoy	Slingerland
Beach	Duguid	McTernan	Steele
Beates.	Evans	Miller	Strait
Benedict, E. D.	Ferris	Mitchell	Tallmadge
Bennett	Fish	Mooers	Terpeny
Brennan	Fiske	Morgan	Titus
Bridges	Fitzgerald	Newman	Tormey
Bullock	Gillette	O'Connor	Tozier
Carpenter, I. S.	Gorsline	Peck	Travis
Case	Griggs	Phillips	Tully
Catlin	Gwinup	Potter	Tuthill, H. H.
Chamberlain	Havens	Rhodes	Tuttle, R. M.
Chickering	Hayes	Root	Van Valkenburgh
Childs	Hoffman	Russell	Waterbury
Comstock	Hurd	Sanders	Wells, D. A.
Cookinham	Husted	Seeley	Wells, J. L.
Crapeer	Ingersoll	Sheridan	Wren
Cullinan			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to incorporate the fire department of the village of Waterloo," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapsier	Kennedy	Sheridan
Ash	Cullinan	Lefever	Sherman
Baker, B. F.	Cushing	Lindsay	Shuit
Baker, C. S.	Davis	Low	Sipp
Beach	Deane	McAvoy	Sisson
Beates	Dougherty	McTernan	Skinner
Benedict, E. D.	Duell	Miller	Slingerland
Bennett	Duguid	Mitchell	Tallmadge
Brennan	Evans	Mooers	Terry
Bridges	Ferris	Morgan	Titus
Brodsky	Fish	Newman	Tormey
Bullock	Fiske	O'Connor	Tozier
Carpenter, E. A.	Gibbs	Peck	Travis
Carpenter, I. S.	Gillette	Pitcher	Tully
Case	Griggs	Potter	Tuthill, H. H.
Catlin	Grosse	Potts	Tuttle, R. M.
Chamberlain	Hagan	Rhodes	Van Valkenburgh
Chickering	Havens	Roberts	Warner
Childs	Hayes	Root	Waterbury
Cohen	Hoffman	Russell	Wells, D. A.
Comstock	Husted	Sanders	Wells, J. L.
Cookinham	Ingersoll	Seeley	Youngs
Costello			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend section 5, title 3 of chapter 291, Laws of 1870, entitled 'An act for the incorporation of villages,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Lefever	Sheridan
Andrews	Cushing	Liddle	Sherman
Ash	Deane	Lindsay	Shuit
Baker, B. F.	Dougherty	Low	Sipp
Baker, C. S.	Douglass	McAvoy	Sisson
Beach	Duell	McTernan	Skinner
Beates	Duguid	Miller	Slingerland
Benedict, E. D.	Evans	Mitchell	Steele
Benedict, T. E.	Ferris	Mooers	Terpeny
Bennett	Fish	Morgan	Titus
Bradley	Fiske	Newman	Tormey
Brodsky	Gibbs	Nowlan	Tozier
Bullock	Gillette	O'Connor	Travis
Carpenter, E. A.	Gorsline	Peck	Tully
Carpenter, I. S.	Griggs	Phillips	Tuthill, H. H.
Catlin	Grosse	Potter	Tuttle, R. M.
Chamberlain	Gwinup	Potts	Van Valkenburgh
Chickering	Havens	Roberts	Warner



Childs	Hayes	Root	Wells, D. A.
Comstock	Hoffman	Russell	Wells, J. L.
Cookinham	Hurd	Sanders	Wiley
Costello	Husted	Seeley	Youngs
Crapser	Kennedy		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to prevent the bribing and corrupting of officers of the Seneca Nation of Indians," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 92 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Husted	Russell
Andrews	Cullinan	Ingersoll	Sanders
Ash	Curtis	Kennedy	Seeley
Baker, B. F.	Cushing	Lefever	Sheridan
Baker, C. S.	Davis	Liddle	Sherman
Beach	Deane	Lindsay	Shuit
Beates	Dougherty	Low	Sipp
Benedict, E. D.	Duell	McAvoy	Sisson
Bennett	Duguid	McTernan	Skinner
Bradley	Evans	Miller	Tallmadge
Brennan	Ferris	Mitchell	Titus
Brodsky	Fiske	Mooers	Tormey
Bullock	Gibbs	Morgan	Tozier
Carpenter, E. A.	Gillette	Newman	Travis
Case	Gorsline	Nowlan	Tully
Catlin	Gray	Peck	Tuthill, H. H.
Chamberlain	Griggs	Phillips	Tuttle, R. M.
Chickering	Grosse	Pitcher	Van Valkenburg
Childs	Gwinup	Potter	Waterbury
Clowes	Hagan	Potts	Wells, D. A.
Comstock	Havens	Rhodes	Wells, J. L.
Congdon	Hayes	Roberts	Wiley
Cookinham	Hoffman	Root	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Privileges of the floor were extended to Hon. J. G. Carmichael, former member of the House.

The bill entitled "An act to enable the Alanson Methodist Episcopal Church of the city of New York to transfer and convey certain real property," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 89 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Kennedy	Sanders
Andrews	Cullinan	Lefever	Seeley
Ash	Curtis	Liddle	Sheridan

Baker, B. F.	Davis	Lindsay	Sherman
Beach	Deane	Low	Shuit
Beates	Dougherty	McAvoy	Sipp
Benedict, E. D.	Duell	McTernan	Sisson
Benedict, T. E.	Duguid	Miller	Skinner
Bennett	Evans	Mitchell	Steele
Bradley	Ferris	Mooers	Strait
Brodsky	Fish	Morgan	Tallmadge
Bullock	Fiske	Newman	Titus
Carpenter, E. A.	Gillette	Nowlan	Tormey
Carpenter, I. S.	Gorsline	Peck	Travis
Case	Gray	Phillips	Tully
Catlin	Griggs	Pitcher	Tuthill, H. H.
Chamberlain	Grosse	Potter	Van Valkenburgh
Chase	Havens	Potts	Waterbury
Childs	Hayes	Rhodes	Wells, D. A.
Comstock	Hoffman	Roberts	Wells, J. L.
Congdon	Husted	Root	Wiley
Cookinham	Ingersoll	Russell	Youngs
Costello			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled 'An act relinquishing title and jurisdiction to the United States over certain land covered with water in the harbor of New York at Governor's, Bedloe's, Ellis' and David's Islands, and Forts Lafayette, Hamilton, Wadsworth and Schuyler,' was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 95 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapsier	Kennedy	Sheridan
Andrews	Cullinan	Liddle	Sherman
Ash	Curtis	Lindsay	Sipp
Baker, B. F.	Cushing	Low	Sisson
Beach	Davis	McAvoy	Slingerland
Beates	Dougherty	McCarthy	Steele
Benedict, E. D.	Douglass	McDonald	Tallmadge
Benedict, T. E.	Duell	McTernan	Titus
Bradley	Duguid	Miller	Tormey
Brennan	Evans	Mitchell	Tozier
Brodsky	Ferris	Mooers	Travis
Bullock	Fish	Morgan	Tully
Carpenter, E. A.	Fiske	Newman	Tuthill, H. H.
Carpenter, I. S.	Fitzgerald	Nowlan	Tuttle, R. M.
Case	Gillette	Peck	Van Valkenburgh
Catlin	Gorsline	Phillips	Walsh
Chamberlain	Gray	Potter	Warner
Chase	Griggs	Potts	Waterbury
Chickering	Gwinup	Rhodes	Wells, D. A.
Childs	Hayes	Roberts	Wells, J. L.
Clark	Hoffman	Root	Wiley
Comstock	Hurd	Russell	Wren
Cookinham	Husted	Sanders	Youngs
Costello	Ingersoll	Seeley	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend section 1 of chapter 498 of the Laws of 1872, entitled 'An act for the protection of livery-stable keepers and other persons keeping horses at livery or pasture,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 95 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Kennedy	Sherman
Andrews	Costello	Lefever	Shuit
Ash	Crapsier	Liddle	Sipp
Baker, B. F.	Cullinan	McAvoy	Sisson
Baker, C. S.	Cushing	McCabe	Skinner
Beach	Davis	McTernan	Slingerland
Beates	Dougherty	Miller	Strait
Benedict, E. D.	Douglass	Mitchell	Tallmadge
Benedict, T. E.	Duell	Mooers	Terpeny
Bennett	Duguid	Morgan	Titus
Bradley	Evans	Newman	Tormey
Brennan	Ferris	Nowlan	Tozier
Brodsky	Fish	O'Brien	Travis
Bullock	Fiske	Peck	Treanor
Carpenter, E. A.	Gibbs	Phillips	Tully
Carpenter, I. S.	Gillette	Potter	Tuthill, H. H.
Case	Gorsline	Potts	Tuttle, R. M.
Chamberlain	Gray	Rhodes	Van Valkenburgh
Chase	Griggs	Roberts	Warner
Chickering	Gwinup	Root	Wells, D. A.
Childs	Hayes	Russell	Wells, J. L.
Clark	Hoffman	Sanders	Wiley
Clowes	Hurd	Seeley	Wren
Comstock	Ingersoll	Sheridan	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to authorize the police department or board of police of any city to appoint policemen of district telegraph companies," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 94 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Lefever	Shuit
Andrews	Curtis	Liddle	Sipp
Ash	Davis	Lindsay	Sisson
Baker, B. F.	Deane	Low	Skinner
Baker, C. S.	Dougherty	McAvoy	Slingerland
Beach	Douglass	Miller	Steele

Beates	Duell	Mitchell	Strait
Benedict, E. D.	Duguid	Mooers	Tallmadge
Bennett	Evans	Morgan	Terpeny
Bradley	Ferris	Newman	Titus
Bridges	Fish	Nowlan	Tormey
Brodsky	Fiske	O'Brien	Tozier
Bullock	Gillette	Peck	Travis
Carpenter, I. S.	Gorsline	Phillips	Treanor
Catlin	Gray	Potter	Tully
Chamberlain	Griggs	Potts	Tuthill, H. H.
Chickering	Grosse	Rhodes	Tuttle, R. M.
Childs	Havens	Roberts	Van Valkenburgh
Clark	Hayes	Root	Warner
Clowes	Hoffman	Russell	Waterbury
Cohen	Hurd	Sanders	Wells, D. A.
Comstock	Husted	Seeley	Wells, J. L.
Cookinham	Ingersoll	Sheridan	Youngs
Crapser	Kennedy		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Titus moved to take from the table the question of agreeing to report of the sub-committee of the whole upon Senate bill entitled "An act to facilitate the carrying out of plans and agreements for the reorganization of railroads."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Titus moved to recommit said bill to the committee on railroads, with power to report at any time.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill entitled "An act to amend an act entitled 'An act supplementary to chapter 273 of the Laws of 1866, entitled 'An act authorizing the incorporation of associations to erect monuments to perpetuate the memory of soldiers who fell in defense of the Union,'" passed April 14, 1877, was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Ingersoll	Seeley
Andrews	Costello	Kennedy	Sheridan
Ash	Crapser	Lefever	Sherman
Baker, B. F.	Cullinan	Liddle	Sisson
Baker, C. S.	Cushing	Lindsay	Skinner
Beach	Davis	Low	Slingerland
Beates	Deane	McTernan	Steele
Benedict, E. D.	Dougherty	Miller	Strait
Benedict, T. E.	Douglass	Mitchell	Tallmadge
Bennett	Duell	Mooers	Terpeny
Bradley	Duguid	Morgan	Titus
Bridges	Evans	Newman	Tormey
Bullock	Ferris	Nowlan	Tozier

Carpenter, E. A.	Fish	O'Brien	Tully
Carpenter, I. S.	Gillette	Peck	Tuthill, H. H.
Case	Gorsline	Phillips	Tuttle, R. M.
Catlin	Gray	Potter	Van Valkenburgh
Chamberlain	Griggs	Potts	Warner
Chickering	Gwinup	Roberts	Waterbury
Childs	Havens	Root	Wells, D. A.
Clark	Hoffman	Russell	Wells, J. L.
Clowes	Hurd	Sanders	Wren
Comstock	Husted		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker moved to take from table the motion to reconsider the vote by which Assembly bill entitled "An act granting the consent of the State of New York to the purchase by the United States of certain lands, ponds, and rights for the purpose of increasing the water supplies of West Point, and ceding jurisdiction over said lands and pond," was lost.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative.

{ AYES 93 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Lindsay	Sisson
Ash	Curtis	Low	Skinner
Baker, C. S.	Davis	McAvoy	Slingerland
Beach	Deane	McTernan	Steele
Beates	Dougherty	Miller	Strait
Benedict, E. D.	Duell	Mitchell	Tallmadge
Benedict, T. E.	Duguid	Moors	Terpeny
Bennett	Evans	Morgan	Titus
Bradley	Fish	Newman	Tormey
Bridges	Fiske	Nowlan	Tozier
Brodsky	Gillette	O'Brien	Travis
Bullock	Gorsline	Peck	Treanor
Carpenter, E. A.	Gray	Phillips	Tully
Carpenter, I. S.	Griggs	Potter	Tuthill, H. H.
Catlin	Gwinup	Rhodes	Tuttle, R. M.
Chamberlain	Hagan	Roberts	Van Valkenburgh
Chase	Hayes	Root	Warner
Chickering	Hurd	Russell	Waterbury
Childs	Husted	Sanders	Wells, J. L.
Clark	Ingersoll	Seeley	Wiley
Clowes	Kennedy	Sheridan	Wren
Comstock	Lefever	Sherman	Youngs
Cookinham	Liddle	Sipp	Mr. Speaker
Costello			

On motion of Mr. Speaker, and by unanimous consent, said bill was amended by adding the following as section 5:

Sec. 5. This act shall not affect the claim of Cornelius Nelson in and to the minerals upon the said premises, nor the right of the public to enjoy the public highway as heretofore used.

Change section 5 to section 6.

Said bill as amended was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 97 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Lindsay	Sipp
Andrews	Cushing	Low	Sisson
Ash	Davis	McAvoy	Skinner
Baker, B. F.	Deane	McTernan	Slingerland
Baker, C. S.	Douglass	Miller	Steele
Beach	Duell	Mitchell	Strait
Beates	Duguid	Moors	Tallmadge
Benedict, E. D.	Evans	Morgan	Terpeny
Benedict, T. E.	Ferris	Newman	Titus
Bradley	Fish	Nowlan	Tormey
Bridges	Fiske	O'Brien	Tozier
Brodsky	Gillette	O'Connor	Travis
Bullock	Gorsline	Peck	Treanor
Carpenter, E. A.	Gray	Phillips	Tully
Carpenter, I. S.	Griggs	Potter	Tuthill, H. H.
Case	Havens	Rhodes	Tuttle, R. M.
Catlin	Hayes	Roberts	Van Valkenburgh
Chamberlain	Hoffman	Root	Warner
Chase	Hurd	Russell	Wells, D. A.
Chickering	Husted	Sanders	Wells, J. L.
Childs	Ingersoll	Seeley	Wiley
Clark	Kennedy	Shanley	Wren
Comstock	Lefever	Sheridan	Youngs
Cookinham	Liddle	Sherman	Mr. Speaker
Costello			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 34 of the Laws of 1876, entitled 'An act to provide for the payment of a portion or the whole of the debt of the county of Greene by issuing new bonds,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Ingersoll	Sheridan
Andrews	Costello	Kennedy	Sherman
Ash	Crapser	Lefever	Sipp
Baker, B. F.	Curtis	Liddle	Skinner
Beach	Cushing	Lindsay	Slingerland
Beates	Davis	Low	Steele
Benedict, E. D.	Deane	McTernan	Strait
Benedict, T. E.	Dougherty	Miller	Tallmadge
Bennett	Douglass	Moors	Terpeny

Bradley	Duell	Morgan	Titus
Brennan	Duguid	Newman	Tozier
Bridges	Ferris	Nowlan	Travis
Brodsky	Fish	O'Brien	Tully
Bullock	Fiske	Parker	Tuthill, H. H.
Carpenter, E. A.	Gillette	Peck	Tuttle, R. M.
Carpenter, I. S.	Gorsline	Phillips	Van Valkenburgh
Case	Gray	Potter	Warner
Catlin	Griggs	Rhodes	Wells, D. A.
Chamberlain	Hagan	Roberts	Wells, J. L.
Chase	Hayes	Root	Wiley
Chickering	Hoffman	Russell	Wren
Childs	Hurd	Sanders	Youngs
Comstock	Husted	Seeley	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to enable the town of Newtown, in Queens county, to fund a portion of its bonded debt at a reduced rate of interest," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 95 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costello	Ingersoll	Shanley
Andrews	Cullinan	Kennedy	Sherman
Ash	Curtis	Lefever	Sipp
Beach	Cushing	Liddle	Sisson
Beates	Davis	Lindsay	Skinner
Benedict, E. D.	Deane	Low	Slingerland
Benedict, T. E.	Douglass	McAvoy	Steele
Bennett	Duell	McTernan	Strait
Bradley	Duguid	Miller	Tallmadge
Brennan	Evans	Mitchell	Terpeny
Bridges	Ferris	Moers	Titus
Brodsky	Fish	Morgan	Tozier
Bullock	Fiske	Newman	Travis
Carpenter, E. A.	Gillette	Nowlan	Tully
Carpenter, I. S.	Gorsline	O'Brien	Tuthill, H. H.
Case	Gray	Peck	Tuttle, R. M.
Catlin	Griggs	Phillips	Van Valkenburgh
Chamberlain	Grosse	Potter	Warner
Chase	Gwinup	Rhodes	Waterbury
Chickering	Hagan	Roberts	Wells, D. A.
Childs	Hayes	Root	Wells, J. L.
Clark	Hoffman	Russell	Wren
Comstock	Hurd	Sanders	Youngs
Cookinham	Husted	Seeley	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act for the better prevention of the procurement of abortions and other like offenses, and to amend the laws relative thereto,' being chapter 181 of the Laws of 1872," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Lefever	Shanley
Andrews	Curtis	Liddle	Sheridan
Ash	Cushing	Lindsay	Sherman
Beach	Davis	Low	Shuit
Beates	Deane	McAvoy	Sipp
Benedict, E. D.	Douglass	McTernan	Skinner
Benedict, T. E.	Duguid	Miller	Slingerland
Bennett	Evans	Mitchell	Steele
Bradley	Ferris	Mooers	Strait
Bridges	Fish	Morgan	Terpeny
Brodsky	Fiske	Newman	Tozier
Carpenter, E. A.	Gillette	Nowlan	Travis
Carpenter, I. S.	Gorsline	O'Brien	Tully
Catlin	Gray	Peck	Tuthill, H. H.
Chamberlain	Griggs	Phillips	Tuttle, R. M.
Chase	Gwinup	Potter	Van Valkenburgh
Chickering	Havens	Roberts	Warner
Childs	Hayes	Root	Waterbury
Cohen	Hurd	Russell	Wells, J. L.
Comstock	Husted	Sanders	Wren
Cookinham	Ingersoll	Seeley	Youngs
Costello	Kennedy		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend section 1176 of article 1 of title 5 of the Code of Civil Procedure," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }  
{ NOES 4 }

Those who voted in the affirmative, were

Alvord	Costello	Lindsay	Shuit
Andrews	Cullinan	Low	Sipp
Ash	Curtis	Miller	Sisson
Baker, O. S.	Cushing	Mooers	Skinner
Beach	Deane	Morgan	Slingerland
Beates	Duell	Newman	Steele
Benedict, E. D.	Duguid	Nowlan	Strait
Bradley	Evans	O'Brien	Tallmadge
Bridges	Fiske	O'Connor	Terpeny
Brodsky	Gillette	Phillips	Titus
Bullock	Gorsline	Potter	Tozier
Case	Gray	Potts	Travis
Catlin	Griggs	Rhodes	Tuthill, H. H.
Chamberlain	Hayes	Roberts	Tuttle, R. M.
Chase	Hurd	Root	Van Valkenburgh
Chickering	Husted	Russell	Waterbury



Childs	Ingersoll	Sanders	Wells, D. A.
Clark	Kennedy	Seeley	Wells, J. L.
Cohen	Lefever	Sheridan	Wren
Cookinham	Liddle	Sherman	Youngs

Those who voted in the negative, were

Benedict, T. E.	Crapser	Hagan	Tully
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*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to the overseer of the poor of the town of Hempstead, Queens county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costello	Kennedy	Sheridan
Andrews	Crapser	Lefever	Sherman
Ash	Cullinan	Liddle	Shuit
Baker, B. F.	Cushing	Lindsay	Sisson
Baker, C. S.	Davis	Low	Skinner
Beach	Deane	McAvoy	Slingerland
Beates	Dougherty	McTernan	Steele
Benedict, E. D.	Douglass	Miller	Tallmadge
Benedict, T. E.	Duell	Mooers	Titus
Bradley	Duguid	Morgan	Tormey
Brennan	Evans	Newman	Tozier
Brodsky	Fish	Nowlan	Travis
Bullock	Fiske	O'Brien	Tully
Carpenter, E. A.	Gillette	O'Connor	Tuthill, H. H.
Carpenter, I. S.	Gorsline	Phillips	Tuttle, R. M.
Case	Gray	Potter	Van Valkenburgh
Oatlin	Griggs	Rhodes	Warner
Chamberlain	Gwinup	Roberts	Waterbury
Chickering	Hayes	Root	Wells, D. A.
Childs	Hoffman	Russell	Wiley
Clark	Hurd	Sanders	Wren
Cohen	Husted	Seeley	Youngs
Cookinham	Ingersoll	Shanley	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the railroad commissioners of the town of Lowville, in Lewis county, to take up certain bonds which under chapter 14, section 4 of Laws of 1872, may be taken up, and to issue others in place of said bonds at a lower rate of interest," having been announced for a third reading,

Mr. Chickering moved to recommit said bill to the committee on railroads, with instructions to amend the same as follows:

Insert as section 6 the following:

Sec. 6. Before issuing the said bonds, the said commissioners shall advertise four weeks in each of the newspapers of Lewis county for sealed proposals. Such notice shall state the denomination of the bonds to be issued, and when payable, and that the same will be

awarded to the persons bidding for the same at the lowest rate of interest. On the Monday following after the last publication of such notice, the said commissioners shall meet at the court-house in Lowville, at 10 A. M., and publicly open such sealed proposals, and thereupon award to the lowest bidder the bonds that said lowest bidder chooses to take. In case there is more than one lowest bidder the said commissioners shall divide the said bonds as near as may be to such lowest bidders. In case all the bonds are not taken by such lowest bidders, and the said commissioners deem it to be for the best interest of the town, they may reject the other proposals at a higher rate and readvertise for new proposals in the manner hereinbefore provided. If all of the said bonds are not disposed of at such second sale, then the said commissioners may dispose of the remainder as they shall deem for the best interest of the town, providing that no bonds shall be issued at a rate of interest higher than six per cent.

Change section "6" to section "7."

Mr. Skinner, from the committee on railroads, reported back said bill amended pursuant to instructions of the House.

Said bill, as amended, was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Cookinham	Kennedy	Shanley
Andrews	Costello	Lefever	Sheridan
Ash	Crapser	Liddle	Sherman
Baker, B. F.	Cullinan	Lindsay	Shuit
Baker, C. S.	Curtis	Low	Sipp
Beach	Davis	McAvoy	Sisson
Beates	Dougherty	McCarthy	Skinner
Benedict, E. D.	Douglass	Miller	Slingerland
Bradley	Duguid	Mitchell	Steele
Bridges	Evans	Mooers	Terpeny
Brodsky	Fish	Morgan	Tormey
Bullock	Fiske	Newman	Tozier
Carpenter, E. A.	Gillette	Nowlan	Travis
Carpenter, I. S.	Gorsline	O'Brien	Tully
Case	Gray	Peck	Tuthill, H. H.
Catlin	Griggs	Phillips	Tuttle, R. M.
Chamberlain	Gwinup	Potter	Van Valkenburgh
Chase	Hayes	Rhodes	Warner
Chickering	Hoffman	Root	Waterbury
Childs	Hurd	Russell	Wells, J. L.
Clark	Husted	Sanders	Wren
Clowes	Ingersoll	Seeley	Youngs
Cohen			

Those who voted in the negative, were

Walsh

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend section 90 of chapter 426 of the Laws of 1847, entitled 'An act to provide for the incorporation of villages,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Costello	Lefever	Sherman
Andrews	Crapser	Liddle	Shuit
Ash	Oullinan	Lindsay	Sison
Baker, B. F.	Cushing	Low	Skinner
Baker, C. S.	Davis	McAvoy	Slingerland
Beach	Deane	Miller	Strait
Beates	Douglass	Mitchell	Tallmadge
Benedict, E. D.	Duell	Mooers	Terpeny
Bridges	Duguld	Morgan	Titus
Brodsky	Ferris	Newman	Tormey
Bullock	Fish	Nowlan	Tozier
Carpenter, E. A.	Gorsline	O'Brien	Travis
Carpenter, I. S.	Gray	O'Connor	Tully
Case	Griggs	Phillips	Tuthill, H. H.
Catlin	Grosse	Potter	Tuttle, R. M.
Chamberlain	Gwinup	Rhodes	Van Valkenburgh
Chase	Hagan	Roberts	Warner
Chickering	Hayes	Root	Waterbury
Childs	Hoffman	Russell	Wells, D. A.
Clowes	Hurd	Sanders	Wren
Comstock	Ingersoll	Seeley	Youns
Cookinham	Kennedy	Sheridan	

Those who voted in the negative, were

Walsh

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 379 of the Laws of 1879, entitled 'An act prescribing the officers and employees that may be elected, appointed or employed by the Senate and Assembly, fixing the salary and compensation thereof, and regulating the proceedings of investigating committees, and providing for the payment of the expenses thereof,'" having been announced for a third reading,

Mr. Brennan moved to recommit said bill to the committee on general laws, with instructions to amend as follows :

Section 1, line 10, printed bill, strike out "*ten*" and insert "*eight*" before the words "assistant door-keeper"; line 26, strike out the words "and assistant librarian," and after word "librarian" add the words "who shall be appointed and hold office for three years," and add at the end of the section the words "and one of whom shall act as messenger to the librarian."

Add to section 3 the following :

"Nor shall any additional clerks for committees of the Assembly be appointed for the legislative session of 1880. And persons appointed under this act, for the legislative session of 1880, shall receive pay only from the date of appointment."

Mr. E. A. Carpenter called for division of the question.

Mr. Speaker stated the question to be upon first amendment, as follows ;

"In section 1, line 10, strike out the word "*ten*" and insert "*eight*."

Mr. Speaker put the question whether the House would agree to said first amendment, and it was determined in the negative.

Mr. Speaker stated the question to be upon the second amendment, as follows:

Section 1, line 26, strike out the words "and assistant librarian," and in line 26, after the word "librarian," add the words "who shall be appointed and hold office for three years," and add at the end of section 1 the words "and one of whom shall act as messenger to the librarian."

Mr. Speaker put the question whether the House would agree to said second amendment, and it was determined in the negative.

Mr. Speaker stated the question to be upon the third amendment, as follows:

Add to section 3 the following:

"Nor shall any additional clerks for committees of the Assembly be appointed for the legislative session of 1880; and persons appointed under this act, for the legislative session of 1880, shall receive pay only from date of appointment."

Mr. Speaker put the question whether the House would agree to said third amendment, and it was determined in the affirmative.

Mr. Crapser moved to recommit said bill to the committee on general laws, with instructions to strike out the enacting clause.

Mr. Speaker put the question whether the House would agree to recommit said bill, and it was determined in the affirmative.

The bill entitled "An act to further amend chapter 491 of the Laws of 1871, entitled 'An act to provide for the relief and support of the poor of the county of Kings, and to change the name of the office of the superintendents of the poor therein to the office of the commissioners of charities of the county of Kings,'" passed April 14, 1871, was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Lefever	Shuit
Andrews	Cullinan	Liddle	Sipp
Ash	Curtis	Lindsay	Sisson
Baker, B. F.	Cushing	Low	Skinner
Baker, C. S.	Davis	McAvoy	Slingerland
Beach	Deane	McCarthy	Tallmadge
Beates	Dougherty	McTernan	Terpeny
Benedict, E. D.	Douglass	Miller	Titus
Benedict, T. E.	Duell	Mitchell	Tormey
Bennett	Duguid	Mooers	Tozier
Bradley	Ferris	Morgan	Travis
Bridges	Fish	Newman	Treanor
Brodsky	Fiske	Nowlan	Tully
Bullock	Gillette	O'Brien	Tuthill, H. H.
Carpenter, I. S.	Gray	Phillips	Tuttle, R. M.

Case	Griggs	Potter	Warner
Catlin	Gwinup	Rhodes	Waterbury
Chamberlain	Hagan	Root	Wells, D. A.
Chase	Havens	Russell	Wells, J. L.
Clark	Hoffman	Sanders	Wiley
Clowes	Hurd	Seeley	Wren
Comstock	Ingersoll	Sheridan	Youngs
Cookinham	Kennedy	Sherman	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act conferring additional powers upon the board of supervisors of the county of Franklin," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	Liddle	Sipp
Ash	Davis	Lindsay	Sisson
Baker, B. F.	Deane	Low	Skinner
Baker, C. S.	Dougherty	McAvoy	Slingerland
Beach	Duell	McCarthy	Steele
Benedict, T. E.	Duguid	McTernan	Strait
Brennan	Evans	Miller	Tallmadge
Bridges	Ferris	Mitchell	Terpeny
Brodsky	Fish	Mooers	Titus
Bullock	Gillette	Morgan	Torney
Carpenter, I. S.	Gray	Newman	Tozier
Case	Griggs	Nowlan	Tully
Chamberlain	Gwinup	O'Brien	Tuthill, H. H.
Childs	Havens	Peck	Tuttle, R. M.
Clark	Hayes	Phillips	Van Valkenburgh
Clowes	Hoffman	Rhodes	Walsh
Cookinham	Hurd	Russell	Warner
Costello	Husted	Seeley	Waterbury
Crapser	Ingersoll	Sheridan	Wells, J. L.
Cullinan	Kennedy	Sherman	Youngs
Curtis	Lefever	Shuit	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message was received from the Governor in the words following :

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, March 30, 1880. }

*To the Assembly :*

In accordance with a joint resolution of the Senate and Assembly herewith is returned for amendment Assembly bill No. 113, entitled "An act to authorize the formation of corporations for manufacturing, mining, mechanical and chemical purposes."

ALONZO B. CORNELL

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative.

{ AYES 78 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Clark	Husted	Sisson
Ash	Clowes	Ingersoll	Skinner
Baker, C. S.	Cohen	Lefever	Slingerland
Beach	Cookinham	Liddle	Steele
Beates	Curtis	Lindsay	Strait
Benedict, E. D.	Cushing	McAvoy	Tallmadge
Bennett	Davis	McTernan	Terpeny
Bradley	Douglass	Miller	Thilemann
Brennan	Duell	Mitchell	Titus
Bridges	Duguid	Mooers	Tormey
Brodsky	Evans	Nowlan	Tozier
Bullock	Ferris	Phillips	Travis
Carpenter, E. A.	Fish	Potter	Treanor
Carpenter, I. S.	Fiske	Russell	Tully
Case	Gillette	Seeley	Tuthill, H. H.
Catlin	Griggs	Shanley	Tuttle, R. M.
Chamberlain	Gwinup	Sheridan	Warner
Chase	Hayes	Sherman	Waterbury
Chickering	Hoffman	Shuit	Wells, J. L.
Childs	Hurd		

On motion of Mr. Husted the title of said bill was amended so as to read :

“An act supplemental to chapter 40 of the Laws of 1848, entitled ‘An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes, and the amendments made thereto.’”

Said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costello	Lefever	Skinner
Andrews	Crapeer	Liddle	Slingerland
Ash	Cullinan	Low	Steele
Baker, B. F.	Curtis	McAvoy	Strait
Baker, C. S.	Cushing	McTernan	Tallmadge
Beach	Davis	Miller	Terpeny
Beates	Dougherty	Mitchell	Titus
Benedict, E. D.	Douglass	Mooers	Tormey
Benedict, T. E.	Duell	Morgan	Tozier
Bennett	Duguid	Nowlan	Travis
Bradley	Fish	Peck	Treanor
Brennan	Gillette	Phillips	Tully
Bridges	Gray	Potter	Tuthill, H. H.
Brodsky	Griggs	Root	Tuttle, R. M.
Bullock	Gwinup	Sanders	Van Valkenburgh
Carpenter, E. A.	Havens	Seeley	Walsh
Carpenter, I. S.	Hayes	Shanley	Waterbury
Catlin	Hoffman	Sheridan	Wells, D. A.
Chase	Husted	Sherman	Wells, J. L.
Chickering	Ingersoll	Shuit	Wren
Clowes	Kennedy	Sipp	Young
Cookinham			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

The bill entitled "An act to authorize the change of course of the east branch of the Eighteen Mile creek, in the town of Hartland, in the county of Niagara," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 88 }  
} NOES 00 }

Those who voted in the affirmative, were

Alvord	Childs	Husted	Sheridan
Andrews	Clowes	Ingersoll	Sherman
Ash	Cohen	Kennedy	Shuit
Baker, B. F.	Comstock	Lefever	Sipp
Baker, C. S.	Cookinham	Liddle	Skinner
Beach	Cullinan	Low	Strait
Beates	Cushing	McAvoy	Tallmadge
Benedict, E. D.	Davis	McCarthy	Terpeny
Benedict, T. E.	Deane	McTernan	Titus
Bennett	Dougherty	Miller	Torney
Bradley	Douglass	Mitchell	Tozier
Brennan	Duell	Mooers	Treanor
Bridges	Duguid	Morgan	Tuthill, H. H.
Brodsky	Evans	Nowlan	Tuttle, R. M.
Bullock	Fiske	Peck	Van Valkenburgh
Carpenter, E. A.	Gillette	Phillips	Walsh
Carpenter, I. S.	Gray	Pitcher	Warner
Case	Gwinup	Potter	Waterbury
Catlin	Hagan	Rhodes	Wells, D. A.
Chamberlain	Havens	Root	Wells, J. L.
Chase	Hayes	Russell	Wren
Chickering	Hoffman	Shanley	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to incorporate the Domestic and Foreign Missionary Society of the Protestant Episcopal Church of the United States of America,'" passed May 13, 1846," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

} AYES 84 }  
} NOES 00 }

Those who voted in the affirmative, were

Alvord	Cohen	Hurd	Sheridan
Andrews	Comstock	Husted	Shuit
Ash	Cookinham	Ingersoll	Skinner
Baker, B. F.	Crapser	Kennedy	Slingerland
Baker, C. S.	Cullinan	Lefever	Strait
Beach	Curtis	Liddle	Tallmadge
Beates	Cushing	Lindsay	Terpeny
Benedict, E. D.	Davis	Low	Titus
Benedict, T. E.	Deane	McAvoy	Travis

Bradley	Douglass	Miller	Treanor
Bridges	Duell	Mitchell	Tuthill, H. H.
Brodsky	Duguid	Mooers	Tuttle, R. M.
Bullock	Evans	Newman	Van Valkenburgh
Carpenter, E. A.	Ferris	Nowlan	Walsh
Carpenter, I. S.	Fish	O'Brien	Warner
Case	Gray	Peck	Waterbury
Chamberlain	Griggs	Potter	Wells, D. A.
Chase	Gwinup	Rhodes	Wells, J. L.
Chickering	Hagan	Root	Wiley
Childs	Hayes	Russell	Wren
Clark	Hoffman	Seeley	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the publication of the names of referees, receivers, auditors and other officers of courts in the city and county of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }  
{ NOES 17 }

Those who voted in the affirmative, were

Alvord	Cookinham	Ingersoll	Seeley
Andrews	Cullinan	Kennedy	Sheridan
Baker, C. S.	Curtis	Lefever	Sherman
Beach	Davis	Liddle	Shuit
Beates	Douglass	Lindsay	Sipp
Benedict, E. D.	Duell	Low	Skinner
Benedict, T. E.	Duguid	Miller	Slingerland
Bradley	Evans	Mitchell	Strait
Brennan	Ferris	Mooers	Tallmadge
Bridges	Fish	Morgan	Titus
Bullock	Fiske	Nowlan	Tuthill, H. H.
Carpenter, I. S.	Gillette	O'Brien	Tuttle, R. M.
Case	Gray	Parker	Van Valkenburgh
Chamberlain	Griggs	Peck	Warner
Chickering	Gwinup	Phillips	Waterbury
Childs	Hayes	Potter	Wells, D. A.
Clark	Hoffman	Root	Wells, J. L.
Clowes	Hurd	Russell	Wren
Cohen	Husted	Sanders	Youngs
Comstock			

Those who voted in the negative, were

Ash	McCarthy	Rhodes	Tozier
Brodsky	McTernan	Roberts	Treanor
Costello	Newman	Shanley	Tully
Cushing	O'Connor	Terpeny	Walsh
McAvoy			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 363 of the Laws of 1878, entitled 'An act in relation to the regrading and paving of Grand street, from Union avenue to Bushwick avenue, in the city of Brooklyn, with Belgian pavement,'" was read a third time.



Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cohen	Husted	Seeley
Andrews	Comstock	Ingersoll	Shanley
Ash	Cookinham	Kennedy	Sheridan
Baker, B. F.	Cullinan	Lefever,	Sherman
Baker, C. S.	Curtis	Liddle	Shuit
Beach	Davis	Lindsay	Sisson
Beates	Deane	Low	Skinner
Benedict, E. D.	Douglass	McAvoy	Slingerland
Benedict, T. E.	Duguid	Mooers	Strait
Brennan	Evans	Morgan	Tallmadge
Brodsky	Ferris	Newman	Terpeny
Bullock	Fish	Nowlan	Titus
Carpenter, E. A.	Fiske	Parker	Travis
Carpenter, I. S.	Gillette	Peck	Tully
Catlin	Gray	Phillips	Tuthill, H. H.
Chamberlain	Griggs	Potter	Tuttle, R. M.
Chase	Gwinup	Rhodes	Van Valkenburgh
Chickering	Havens	Roberts	Warner
Childs	Hayes	Root	Waterbury
Clark	Hoffman	Russell	Wren
Clowes			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act providing for the verification of pleadings in the justices' court," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 95 }  
{ NOES 5 }

Those who voted in the affirmative, were

Alvord	Cookinham	Ingersoll	Shanley
Andrews	Costello	Kennedy	Sherman
Ash	Craper	Lefever	Shuit
Baker, B. F.	Cullinan	Liddle	Sipp
Baker, C. S.	Cushing	Lindsay	Sisson
Beach	Davis	Low	Slingerland
Beates	Deane	McAvoy	Steele
Benedict, E. D.	Dougherty	McCarthy	Strait
Benedict, T. E.	Douglass	McTernan	Terpeny
Bradley	Duell	Miller	Titus
Brennan	Duguid	Mitchell	Tormey
Brodsky	Evans	Mooers	Tozier
Bullock	Ferris	Morgan	Travis
Carpenter, I. S.	Fish	Nowlan	Treanor
Case	Fiske	Parker	Tully
Catlin	Gillette	Phillips	Tuthill, H. H.
Chamberlain	Gray	Potter	Tuttle, R. M.

Chase	Griggs	Rhodes	Walsh
Chickering	Gwinup	Roberts	Warner
Childs	Hagan	Root	Waterbury
Clark	Havens	Russell	Wells, J. L.
Clowes	Hoffman	Sanders	Wren
Cohen	Hurd	Seeley	Youngs
Comstock	Husted		

Those who voted in the negative, were

Bridges	Curtis	Peck	Skinner
Carpenter, E. A.			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Alvord the session of the House to-day was ordered extended beyond the hour of 2 P. M., for the purpose of going through the order of business of introduction of bills.

Mr. Alvord in the chair.

Mr. Bradley moved to reconsider the vote by which the bill entitled "An act to amend chapter 379 of the Laws of 1879, entitled 'An act prescribing the officers and employees that may be elected, appointed or employed by the Senate and Assembly, fixing the salary and compensation thereof, and regulating the proceedings of investigating committees, and providing for the payment of the expenses thereof,'" was recommitted to the committee on general laws, with instructions to strike out the enacting clause, and that said motion lie upon the table.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

{ AYES 53 }  
{ NOES 43 }

Those voting in the affirmative, were

Alvord	Deane	Lefever	Sipp
Ash	Dougherty	Liddle	Steele
Baker, B. F.	Douglass	Lindsay	Strait
Beach	Ferris	Miller	Tallmadge
Benedict, E. D.	Fiske	Mitchell	Tormey
Bradley	Gillette	Mooers	Tozier
Brodsky	Gray	Morgan	Van Valkenburgh
Carpenter, E. A.	Griggs	Potter	Warner
Carpenter, I. S.	Groesse	Roberts	Waterbury
Case	Hagan	Russell	Wells, J. L.
Clark	Hayes	Sanders	Wren
Clowes	Hurd	Seeley	Youngs
Cookinham	Husted	Shuit	Mr. Speaker

Those who voted in the negative, were

Benedict, T. E.	Cullinan	McAvoy	Sheridan
Bennett	Curtis	McCarthy	Sherman
Brennan	Cushing	McTernan	Skinner
Bridges	Davis	Nowlan	Slingerland
Cadin	Duell	O'Connor	Terpeny
Chamberlain	Duguid	Parker	Titus
Chickering	Fish	Peck	Treanor
Childs	Gwinup	Phillips	Tully
Cohen	Hoffman	Rhodes	Tuthill, H. H.
Costello	Kennedy	Root	Walsh
Crapser	Low	Shanley	

Mr. Liddle introduced a bill entitled "An act to repeal chapter 281 of the Laws of 1876, entitled 'An act to amend an act entitled 'An

act to provide for a supply of water in the village of Cohoes, and, also, section 2 of chapter 275 of the Laws of 1870, entitled 'An act to amend an act to provide for a supply of water in the village of Cohoes,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Liddle introduced a bill entitled "An act to amend chapter 918 of the Laws of 1871, entitled 'An act to amend the charter of the city of Cohoes,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. H. H. Tuthill introduced a bill entitled "An act for the protection of corporations organized for generating and distributing steam for heating and other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Ferris introduced a bill entitled "An act to repeal chapter 444 of the Laws of 1879, entitled 'An act to amend chapter 527 of the Laws of 1871, entitled 'An act to authorize the construction of a street railroad in the city of Auburn,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Hoffman introduced a bill entitled "An act to amend an act entitled 'An act to provide for the incorporation of bridge companies,' passed April 11, 1848," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Parker introduced a bill entitled "An act to extend the time for the collection of taxes in the towns of Catskill and Hunter, in the county of Greene," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Parker, and by unanimous consent, said bill was ordered to a third reading.

Mr. Husted introduced a bill entitled "An act to amend section 3 of chapter 582 of the Laws of 1864, entitled 'An act to amend an act entitled 'An act to authorize the formation of railroad companies, and to regulate the same,' passed April 2, 1850," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Tallmadge introduced a bill entitled "An act to enable the board of education of the city of Brooklyn to sell certain lands," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Sheridan introduced a bill entitled "An act to amend section 1 of chapter 346 of the Laws of 1878, entitled 'An act relative to the collection of taxes and assessments in the city of Brooklyn,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Miller introduced a bill entitled "An act to incorporate the Holstein Breeders Association of America," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Miller introduced a bill entitled "An act to exempt the town of Lenox, in the county of Madison, from the provisions and opera-

tion of chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Warner introduced a bill entitled "An act to amend chapter 380 of the Laws of 1852, entitled 'An act to incorporate the Canajoharie Water Works Company,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Mitchell introduced a bill entitled "An act to amend an act entitled 'An act to incorporate the Board of Home Missions of the Presbyterian Church in the United States of America, and to enable the Presbyterian Board of Home Missions, formerly the Presbyterian Committee of Home Missions, to transfer its property to said new corporation, and to vest in such new corporation the corporate right, franchises and privileges of the former body, and, also, to enable said new corporation to accept a transfer of the property of the trustees of the Board of Domestic Missions of the General Assembly of the Presbyterian Church in the United States of America, and to become the legal successors of the said last-mentioned corporation,' passed April 19, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. McCarthy introduced a bill entitled "An act to amend the Code of Civil Procedure, and re-enact the 9th and 10th sections of the act entitled 'An act to reduce the expense of foreclosing mortgages in the court of chancery,' passed May 14, 1840," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. McCarthy introduced a bill entitled "An act to incorporate the Robert Emmet Philo Celtic Literary Society, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Cushing introduced a bill entitled "An act to regulate the rate of foot passenger ferriage across the East river, from the foot of East 34th street, New York city, and Borden avenue, Long Island City," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. J. L. Wells introduced a bill entitled "An act authorizing the incorporation of Villa Park, and suburban homestead associations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Thilemann introduced a bill entitled "An act for the relief of Thomas Duffy, who performed the duty and rendered service as clerk of the seventh judicial district court in the city of New York during part of the year 1879," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Low introduced a bill entitled "An act to amend chapter 75 of the Laws of 1878, entitled 'An act in relation to the bonded indebtedness of villages, cities, towns and counties,'" which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Said bill was ordered to a third reading.

Mr. Douglass introduced a bill entitled "An act to prevent the sale of any adulterated article as cider vinegar," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

Mr. Steele, from the special committee on taxation, reported a bill entitled "An act to provide for the taxation of banks and of moneyed capital engaged in the business of banking, receiving deposits or otherwise," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee of the whole.

Mr. Travis introduced a bill entitled "An act to consolidate, amend and revise the charter of the village of Sing Sing," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Havens introduced a bill entitled "An act to enable the town of Esperance, in Schoharie county, to fund a bonded debt, at a reduced rate of interest," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Speaker introduced a bill entitled "An act to amend an act entitled 'An act to vest in the board of supervisors certain legislative powers, and to prescribe their fees for certain services,' passed April 3, 1849," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Warner presented petitions of citizens of Canajoharie for amending the act incorporating the Canajoharie Water Works Company, which were read and referred to the committee on affairs of villages.

Mr. Potter presented a remonstrance against the passage of Assembly bill No. 22, which was read and referred to the committee on railroads.

Mr. Potter presented a petition against any alteration in the excise laws, which was read and referred to the committee on internal affairs.

At 2 o'clock and 30 minutes the House adjourned.

## WEDNESDAY MORNING, MARCH 31, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Coan.

The journal of yesterday was read and approved.

Messrs. Duguid, Kennedy, Skinner, Van Valkenburgh, Ingersoll, Clark, Mooers, Warner, Case, Davis, Weston, Fish, Sherman, Sisson, T. E. Benedict, G. S. Baker, Crapser and Chamberlain, presented petitions asking for the passage of Assembly bill No. 22, against unjust discrimination in freight transportation; which were read and referred to the committee on railroads.

Messrs. Cullinan, Gray, D. A. Wells, Ferris, Skinner, Childs, Tuttle, Kennedy, Seeley, Phillips, Catlin, Titus, Nowlan, Tuttle, Bridges, Peck and Davis, presented petitions against the passage of Assembly

bill No. 22; which were read and referred to the committee on railroads.

Mr. Wiley presented a petition protesting against the continuation of convict labor in the State prisons; which was read and referred to the committee on State prisons.

Messrs. Warner, Sherman and Husted presented petitions against any alteration of the excise law; which were read and referred to the committee on internal affairs.

Mr. Lefever presented a petition requesting that action be taken providing for the payment of certificates for soldiers' claims of the war of 1812; which was read and referred to the committee on ways and means.

Messrs. T. E. Benedict and Childs presented petitions for the taxation of town bonds issued for the building of railroads; which were read and referred to the special committee on taxation.

Mr. Gillette presented a remonstrance of the common council of the city of Hudson against the bill changing city charter; which was read and referred to the committee on affairs of cities.

Mr. Van Valkenburgh presented a petition in favor of the bill entitled "An act to regulate the dimensions and measurement of apple barrels"; which was read and referred to the committee of the whole.

Mr. Ferris presented a petition for the repeal of chapter 444 of the Laws of 1879, relating to street railroads in Auburn; which was read and referred to the committee on railroads.

Mr. Sheridan presented a petition in favor of the bill providing for an investigation into the insane asylum system of management; which was read and referred to the committee on ways and means.

Messrs. Mitchell, Gray and Griggs presented petitions against taxation of church property or benevolent or educational institutions; which were read and referred to the committee of the whole.

Messrs. Kennedy, Ferris and C. S. Baker presented petitions in favor of the taxation of church property; which were read and referred to the committee of the whole.

Messrs. Weston, Bullock, Slingerland, D. A. Wells and Mooers presented petitions in favor of providing separate institutions for female convicts; which were read and referred to the committee on State prisons.

Messrs. Gwinup, Miller and Root presented petitions in favor of a prohibitory liquor law; which were read and referred to the committee on internal affairs.

Mr. Skinner presented a petition in reference to official salaries, biennial sessions, taxation and railroad discrimination; which was read and referred to the committee on railroads.

Mr. Speaker presented a remonstrance against Mr. J. L. Wells' school bill relative to New York city; which was read and referred to the committee of the whole.

Mr. J. L. Wells presented a petition in favor of the act relative to common schools in New York city; which was read and referred to the committee of the whole.

Mr. Skinner presented a petition of citizens of Brooklyn in favor of educational suffrage; which was read and referred to the committee on the judiciary.

Mr. Gorsline presented a petition asking for reduction of tolls on foreign salt; which was read and referred to the committee on ways and means.

Mr. Ellis presented a petition for biennial sessions and for revision of assessment law; which was read and referred to the special committee.

Messrs. Comstock and Cookinham presented petitions in favor of the establishment of a State board of health; which were read and referred to the committee on public health.

Mr. Douglass presented a petition asking for a passage of a law fixing the amount to be paid in a policy of insurance; which was read and referred to the committee on insurance.

Mr. Speaker presented resolutions of the Legislature of Maine in favor of the abolition of compulsory pilotage through Hell Gate; which were read and referred to the committee on commerce and navigation.

Mr. Brennan presented a memorial complaining of unjust charges and discrimination by the Ogdenburgh and Lake Champlain Railroad Company in the transportation of freight; which was read and referred to the committee on railroads.

A message from the Senate was received and read informing of concurrence in the passage of the bills entitled as follows:

"An act to amend section I of chapter 116 of the Laws of 1862, entitled 'An act to appoint a trustee to receive and hold the bequest of Levi Farr, deceased, for the benefit of school district No. 4 in the town of Greene, Chenango county.'"

"An act to amend chapter 435 of the Laws of 1868, entitled 'An act to incorporate the village of Hamilton, in the county of Madison, and to repeal its present charter,' as amended by chapter 166 of the Laws of 1877, and by chapter 19 of the Laws of 1878."

"An act to ascertain the citizens of the various towns of Kings county who shall be entitled to the right of suffrage therein."

*Ordered*, That the Clerk deliver said bills to the Governor.

A message from the Senate was received and read, informing of concurrence in the amendments of the Assembly to the bills entitled as follows:

"An act to enforce collection of taxes levied in the county of Oneida."

"An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes."

*Ordered*, That the Clerk deliver said bills to the Governor.

The Senate sent for concurrence the bills entitled as follows:

"An act to authorize the treasurer of Orleans county to sell property for unpaid taxes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

"An act relating to certain buildings erected for county purposes in the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to incorporate the "Governor's Guard" of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

"An act to incorporate the Syracuse Electric Light Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

"An act to protect the holders of casualty insurance policies, and to prevent the use of fictitious or deceptive names by individuals or corporations doing such insurance," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

"An act to authorize and direct the commissioners of highways of the town of Kinderhook to protect and secure a certain highway in said town against the encroachments of the Kinderhook creek," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act in relation to street railroads," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act authorizing boards of town auditors to audit certain judgments against commissioners of highways, as town charges and providing for the payment thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act to give to the common council of the city of Buffalo power to allow the owners of the Arcade building in said city compensation for the injury to said building occasioned by the acts of the public authorities of said city in January, 1865," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to alter and define the limits and boundaries of the first and third judicial districts of the city of New York, and to provide for the election of justices therein," which was read the first time, and by unanimous consent was also read the second time.

Mr. Deane offered for the consideration of the House a resolution in the words following:

*Resolved*, That said bill be substituted for Assembly bill No. 424 on same subject, now in the order of third reading of bills.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. J. L. Wells offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee of the whole be discharged from the further consideration of Assembly bill No. 88, introductory No. 51, general orders No. 88, entitled "An act in relation to the opening of streets, avenues and public parks or places in the city of New York," and that the same be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Hurd, and by unanimous consent, the House proceeded to the consideration of the concurrent resolution relative to the toll sheet for the year 1880, in the words following:

*Resolved* (if the Senate concur), That the Legislature do concur in the recommendations of the Canal Board, of the date of March 4th, 1880, as expressed in the appended resolution, except as hereafter recommended in the following resolution:

*Resolved* (if the Senate concur), That the Legislature do consent that the tolls on foreign salt passing over the canals of this State be fixed at 1½ mills per thousand pounds per mile, and that the toll on



domestic salt going toward tide-water be fixed at  $\frac{1}{4}$  mill per thousand pounds per mile.

*Resolved* (if the Senate concur), That the Legislature do consent to the placing of the articles of cut staves and heading, rock phosphates and superphosphates, on the free list, passing over the canals of this State.

STATE OF NEW YORK, CANAL DEPARTMENT, {  
ALBANY, *March 4, 1880.* }

At a meeting of the Canal Board, held at the Canal Department on the 3d day of March, the following resolutions were adopted :

*Resolved*, That the Canal Board recommend to the Legislature to concur in the rates of toll on the Black River canal, as stated in the accompanying toll-sheet for the year 1880.

*Resolved*, That the Canal Board recommend to the Legislature to concur in the rates of toll upon the Erie, Oswego, Champlain and Cayuga and Seneca canals, as stated in the accompanying toll-sheet for the year 1880.

### RATES OF TOLL—1880.

ESTABLISHED BY THE CANAL BOARD, ON PERSONS AND PROPERTY TRANSPORTED ON THE BLACK RIVER CANAL, TO TAKE EFFECT ON THE OPENING OF NAVIGATION.

[Toll is to be computed upon the weight ("1,000 pounds per mile") of all articles contained in the following list, unless otherwise stated opposite to the articles excepted.]

	cts.	m.	fr.
Boats.....			Free.
<b>THE FOREST.</b>			
Fur and peltry.....			Free.
<i>Product of Wood.</i>			
Ashes, pot and pearl.....	0	0	5
Ashes, leached.....			Free.
Lath, per M per mile.....	0	0	1
Lath, per 1,000 pounds per mile.....	0	3	0
Staves, heading, etc.....	0	3	0
Shingles, per M per mile.....	0	0	1 $\frac{1}{2}$
Shingles, per 1,000 pounds.....	0	0	5
<i>Wood for Fuel.</i>			
Slab wood, per cord.....	0	1	0
Cord wood, per cord.....	0	2	0
Lumber No. 1.*— By weight, per 1,000 pounds per mile :			
White pine, white-wood, bass-wood, cedar, boards, planks, scantling, and all sidings and other sawed stuff, less than one inch thick (except such as is enumerated in Lumber No. 3).....	0	3	0
Oak, hickory, beech, sycamore, black walnut, butternut, maple, ash, elm, fir, tamarack, yew and cherry.....	0	3	0
Hemlock and spruce.....	0	3	0
Lumber No. 2.*— By measurement, per 1,000 feet per mile :			
Boards, planks, scantling, railroad ties, pickets for fences, and sawed timber, siding and other sawed stuff, less than one inch thick, reduced to inch mea-			

cts. m. fr.

sure (except such as is enumerated in <i>Lumber No. 3</i> ) ; and all kinds of red cedar, cedar posts, estimated that a cord, after deducting for openings, will contain 1,000 feet .....	0	4	0
Hemlock and spruce, per 1,000 feet per mile.....	0	4	0
Lumber No. 3.*— By weight, per 1,000 pounds per mile:			
Hoop poles, hand spikes, rowing oars, broom handles, spokes, hubs, treenails, fellies, boat and ship knees, plane stocks, pickets for fences, railroad ties, last blocks, stuff (manufactured or partly manufactured) for boxes, chairs and bedsteads, hop poles, brush handles, brush backs, looking-glass backs, gun stocks, plow beams and plow handles.....	0	3	0
Sawed stuff for window blinds, not exceeding one-fourth of an inch in thickness.....	0	7	0
<p><b>*LUMBER</b> shall not be cleared by measurement when carried in a boat having other articles on board paying toll by <b>WEIGHT</b>, but such lumber shall in all cases be also cleared by weight.</p> <p>When a cargo is composed entirely of lumber, which can be cleared by weight or measure, the whole of such cargo shall be cleared by measurement or by weight, as the shipper or master may elect, and in no case shall a portion of any such cargo be cleared by measure- ment and the other portion by weight.</p>			
Tan bark, per cord, per mile.....	0	5	0
Timber.*— Squared and round, transported in rafts, per 100 cubic feet .....	1	5	0

# AGRICULTURE.

## *Product of Animals.*

Pork.....	Free.
Beef.....	Free.
Bacon.....	Free.
Cheese.....	Free.
Butter.....	Free.
Lard, tallow and lard oil .....	Free.
Wool.....	Free.
Hides.....	0 1 0

## *Vegetable Food.*

Flour .....	Free.
Wheat .....	0 0 5
Rye .....	0 0 5
Corn .....	0 1 0
Corn meal.....	0 1 0
Barley.....	0 0 5
Barley malt .....	0 0 5
Oats.....	0 0 5
Bran and ship stuffs.....	0 0 5
Peas and beans.....	0 0 5
Apples .....	0 0 5
Potatoes .....	0 3 0

\* In the measurement of timber, bark adhering to the wood and refuse stuff are to be estimated as forming part of the timber, and to be rated accordingly.

cts. m. fr.

*All Other Agricultural Products.*

Dried fruit .....	Free.
Cotton .....	Free.
Unmanufactured tobacco.....	Free.
Hemp .....	Free.
Clover and grass seed .....	Free.
Flax seed.....	Free.
Hops.....	Free.

## MANUFACTURES.

Domestic spirits .....	Free.
Oil meal and cake .....	Free.
Leather.....	0 1 0
Furniture .....	0 0 5
Bar and pig lead .....	Free.
Pig iron .....	0 0 5
Bloom and bar iron ....	0 0 5
Castings and iron ware.....	0 0 5
Domestic woolens.....	Free.
Domestic cottons .....	Free.
Domestic salt .....	0 0 5
Foreign salt.....	0 2 5

## MERCHANDISE.

Sugar ...	0 0 5
Molasses .....	0 0 5
Coffee .....	Free.
Nails, spikes and horse shoes.....	0 0 5
Iron and steel .....	0 0 5
Railroad iron.....	0 0 5
Flint enamel, crockery, glassware.....	0 0 5
All other merchandise.....	0 0 5

*Other Articles.*

Live cattle, hogs and sheep .....	Free.
Stone, lime and clay.....	0 0 5
Gypsum .....	0 0 5
Anthracite coal.....	0 0 1½
Bituminous coal.....	0 0 1½
Copper ore.....	0 0 5
Iron ore.....	0 0 2½
Petroleum or earth oil, crude and refined.....	0 0 2½
Articles not specified.....	0 0 5

## RATES OF TOLL—1880.

ESTABLISHED BY THE CANAL BOARD, ON PERSONS AND PROPERTY TRANSPORTED ON THE ERIE, CHAMPLAIN, OSWEGO, AND THE CAYUGA AND SENECA CANALS, TO TAKE EFFECT ON THE OPENING OF NAVIGATION.

[Toll is to be computed upon the weight ("1,000 pounds per mile") of all articles contained in the following list, unless otherwise stated, opposite to the articles excepted.]

	TOWARDS TIDE.			FROM TIDE.		
	cts.	m.	fr.	cts.	m.	fr.
Boats.....	Free.			Free.		
THE FOREST.						
Fur and peltry.....	Free.			Free.		
Product of Wood.						
Ashes, pot and pearl.....	0	0	5	0	0	2½
Ashes, leached.....	Free.			Free.		
Lath, per M per mile.....	0	0	1	0	0	1
Lath, per 1,000 pounds per mile.....	0	0	7½	0	0	7½
Staves, heading, etc.....	0	0	5	0	0	5
Shingles, per M per mile.....	0	0	1¼	0	0	1¼
Shingles, per 1,000 pounds.....	0	0	5	0	0	5
Wood for Fuel.						
Slab wood, per cord.....	0	1	0	0	1	0
Cord wood, per cord.....	0	2	0	0	2	0
Lumber No. 1.* By weight, per 1,000 pounds per mile:						
White pine, white-wood, bass-wood, cedar, boards, planks, scantling, and all sidings and other sawed stuff, less than one inch thick (except such as is enumerated in Lumber No. 3).....	0	0	7½	0	0	7½
Oak, hickory, beech, sycamore, black walnut, butternut, maple, ash, elm, fir, tamarack, yew and cherry.....	0	0	5	0	0	5
Hemlock and spruce.....	0	0	3½	0	0	3½
Lumber No. 2.*—By measurement, per 1,000 feet per mile:						
Boards, planks, scantling, railroad ties, pickets for fences, and sawed timber, siding and other sawed stuff, less than one inch thick, reduced to inch measure (except such as is enumerated in Lumber No. 3); and all kinds of red cedar, cedar posts, estimated that a cord, after deducting for openings, will contain 1,000 feet,	0	1	5	0	1	5
Hemlock and spruce, per 1,000 feet per mile.....	0	1	0	0	1	0
Lumber No. 3.*—By weight, per 1,000 pounds per mile:						
Hoop poles, hand spikes, rowing oars, broom handles, spokes, hubs, treenails, fellies, boat and ship knees, plane stocks, pickets for fences, railroad ties, last blocks, stuff (manufactured or partly manufactured) for boxes, chairs and bedsteads, hop poles, brush handles, brush backs, looking-glass backs, gun stocks, plow beams and plow handles.....	0	0	7½	0	0	7½
Sawed stuff for window blinds, not exceeding one-fourth of an inch in thickness.	0	2	0	0	2	0

TOWARDS TIDE. FROM TIDE.  
cts. m. fr. cts. m. fr.

**\* LUMBER** shall not be cleared by measurement when carried in a boat having other articles on board paying toll by WEIGHT, but such lumber shall in all cases be also cleared by weight.

When a cargo is composed entirely of lumber, which can be cleared by weight or measure, the whole of such cargo shall be cleared by measurement or by weight, as the shipper or master may elect, and in no case shall a portion of any such cargo be cleared by measurement and the other portion by weight.

**Timber.\*—Squared and round, transported in**  
rafts, per 100 cubic feet.....

0 5 0 0 5 0

### AGRICULTURE.

#### *Product of Animals.*

Pork .....	Free.	Free.
Beef .....	Free.	Free.
Bacon .....	Free.	Free.
Cheese .....	Free.	Free.
Butter .....	Free.	Free.
Lard, tallow and lard oil.....	Free.	Free.
Wool .....	Free.	Free.
Hides .....	0 0 5	0 0 2½

#### *Vegetable Food.*

Flour .....	Free.	Free.
Wheat .....	0 0 5	0 0 2½
Rye .....	0 0 5	0 0 2½
Corn .....	0 0 5	0 0 2½
Corn meal .....	Free.	Free.
Barley .....	0 0 5	0 0 2½
Barley malt .....	0 0 5	0 0 2½
Oats .....	0 0 5	0 0 2½
Bran and ship stuffs.....	0 0 5	0 0 2½
Peas and beans.....	0 0 5	0 0 2½
Apples .....	0 0 5	0 0 2½
Potatoes .....	0 0 5.	0 0 2½
Dried fruit .....	Free.	Free.

#### *All Other Agricultural Products.*

Cotton .....	Free.	Free.
Unmanufactured tobacco.....	Free.	Free.
Hemp .....	Free.	Free.
Clover and grass seed.....	Free.	Free.
Flax seed.....	Free.	Free.
Hops .....	Free.	Free.

### MANUFACTURES.

Domestic spirits .....	Free.	Free.
Oil meal and cake .....	Free.	Free.
Leather .....	Free.	Free.
Furniture .....	0 0 5	0 0 2½
Bar and pig lead .....	Free.	Free.
Pig iron .....	0 0 5	0 0 2½
Bloom and bar iron .....	0 0 5	0 0 2½

**\* In the measurement of timber, bark adhering to the wood and refuse stuff are to be estimated as forming part of the timber, and to be rated accordingly.**

	TOWARDS TIDE.			FROM TIDE.		
	cts.	in.	fr.	cts.	in.	fr.
Castings and iron ware .....	0	0	5	0	0	2½
Domestic woolens.....	Free.			Free.		
Domestic cottons.....	Free.			Free.		
Domestic salt.....	0	0	5	0	0	5
Foreign salt.....	0	1	0	0	1	0

.      **MERCHANDISE.**

Sugar.....	0	0	5	0	0	2½
Molasses .....	0	0	5	0	0	2½
Coffee .....	Free.			Free.		
Nails, spikes and horse shoes.....	0	0	5	0	0	2½
Iron and steel.....	0	0	5	0	0	2½
Railroad iron.....	0	0	5	0	0	2½
Flint enamel, crockery and glassware.....	0	0	5	0	0	2½
All other merchandise.....	0	0	5	0	0	2½

*Other Articles.*

Live cattle, hogs and sheep.....	Free.			Free.		
Stone, lime and clay.....	0	0	5	0	0	2½
Gypsum .....	0	0	5	0	0	2½
Anthracite coal.....	0	0	1½	0	0	1½
Bituminous coal.....	0	0	1½	0	0	1½
Copper ore.....	0	0	5	0	0	2½
Iron ore.....	0	0	2½	0	0	2½
Petroleum or earth oil, crude and refined.....	0	0	2½	0	0	2½
Articles not specified.....	0	0	5	0	0	2½

STATE OF NEW YORK, }  
CANAL DEPARTMENT. }

I certify that I have compared the foregoing resolutions and toll-sheets with the original minutes of the Canal Board, on file in this department, and that the same are true copies of the originals as adopted by the Canal Board upon the days of which they bear date.

In witness whereof, I have hereunto set my hand and affixed my official seal, this 4th day of March, in the year 1880.

[L. S.]

GEORGE W. SCHUYLER, *Auditor.*

Mr. Curtis moved to amend the second resolution by striking out in line 2 the words "one and "

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question upon the adoption of the said resolution, and it was determined in the affirmative.

*Ordered,* That the Clerk return said bill to the Senate, and request their concurrence therein.

Mr. Case offered for the consideration of the House a resolution in the words following:

*Resolved,* That Assembly bill No. 393 entitled "An act to amend section 1 of chapter 466 of the Laws of 1853, entitled 'An act to provide for the incorporation of fire insurance companies,' " be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Steele offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 458, general orders No. 508, entitled "An act to amend section 2 of title 1 of chapter 13 of part 1 of the Revised Statutes," and Assembly bill No. 520, general orders No. 595, entitled "An act to amend chapter 37 of the Laws of 1855, entitled 'An act amendatory of the acts for the assessment and collection of taxes,'" be made a special order for Thursday, April 8, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Steele offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 521, general orders No. 596, entitled "An act to provide for raising taxes for the use of the State upon certain associations, corporations and joint-stock companies," be made a special order for Thursday, April 15, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative.

Mr. Titus offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 486, entitled "An act to amend chapter 824 of the Laws of 1873, entitled 'An act to amend section 19 of chapter 570 of the Laws of 1872, entitled 'An act to ascertain by proper proofs the citizens who shall be entitled to the right of suffrage in the State of New York, except in the city and county of New York and the city of Brooklyn, and to repeal chapter 572 of the Laws of 1871, entitled 'An act to amend an act entitled 'An act in relation to elections in the city and county of New York,'" be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The Senate returned Assembly bill entitled "An act for the better security of mechanics, laborers and others who perform labor or furnish materials for buildings and other improvements on land in the city of Buffalo," with a message that they have concurred in the passage of the same, with the following amendments:

In section 19, line 5, of engrossed bill, after the word "actions" insert "*in courts of record*"; in same line, strike out "*for the foreclosure of mortgages upon real estate*"; add at the end of section 19, the following: "*and such costs, exclusive of disbursements, shall not exceed twenty dollars.*"

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative.

{ AYES 88 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Hayes	Seeley
Ash	Costello	Hoffman	Sherman
Baker, B. F.	Crapser	Husted	Sipp
Baker, C. S.	Cullinan	Ingersoll	Skinner
Beach	Curtis	Kennedy	Slingerland
Beates	Cushing	Lefever	Steele

Benedict, E. D.	Davis	Liddle	Terpeny
Benedict, T. E.	Deane	McAvoy	Terry
Bennett	Dougherty	McDonald	Thilemann
Bradley	Douglass	McTernan	Titus
Brennan	Duell	Miller	Tozier
Bridges	Evans	Mitchell	Travis
Brodsky	Ferris	Newman	Tuthill, H. H.
Bullock	Fish	Nowlan	Tuttle, R. M.
Carpenter, E. A.	Gibbs	Parker	Van Valkenburgh
Carpenter, I. S.	Gillette	Peck	Varnum
Case	Gray	Phillips	Wells, D. A.
Chamberlain	Griggs	Potter	Wells, J. L.
Chickering	Grosse	Roberts	Weston
Childs	Gwinup	Root	Wren
Clark	Hagan	Russell	Youngs
Cohen	Havens	Sanders	Mr. Speaker

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

The Senate returned Assembly bill entitled "An act to repeal chapter 402 of the Laws of 1878, entitled 'An act to authorize the county clerk of Kings county to arrange, assort and repair all judgments, decrees, orders and other papers filed or deposited in Kings county clerk's office, and to record and certify mutilated or injured writings affecting the title to real estate in said county, and providing compensation for his services in that respect,'" with a message that they have concurred in the same, with the following amendments:

At the end of section 1 add the following: "but the record of any mutilated or injured writing affecting the title to real estate in the county of Kings, recorded by the clerk thereof in the book of miscellaneous records in his office, in pursuance of the act hereby repealed, certified by him to be a complete and perfect copy of the writing so recorded, shall for all purposes have the same force and effect as the original writing notwithstanding said repeal."

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 24 }

Those who voted in the affirmative, were

Alvord	Cookinham	Lefever	Sipp
Andrews	Crapser	Liddle	Sisson
Ash	Cullinan	Lindsay	Skinner
Baker, B. F.	Curtis	Low	Slingerland
Baker, C. S.	Deane	McCabe	Steele
Beates	Douglass	Miller	Tallmadge
Bradley	Duell	Mitchell	Titus
Brennan	Evans	Moors	Tozier
Bridges	Ferris	Nowlan	Tuthill, H. H.
Brodsky	Fish	Peck	Tuttle, R. M.
Bullock	Fiske	Phillips	Van Valkenburgh
Carpenter, E. A.	Gillette	Potter	Varnum
Carpenter, I. S.	Gray	Roberts	Warner
Case	Griggs	Root	Wells, D. A.
Chamberlain	Grosse	Russell	Wells, J. L.



Chickering	Hayes	Sanders	Weston
Childs	Howland	Seeley	Wren
Clark	Husted	Sheridan	Youngs
Clowes	Ingersoll	Shuit	Mr. Speaker
Cornstock	Kennedy		

Those who voted in the negative, were

Benedict, E. D.	Ellis	McDonald	Rhodes
Benedict, T. E.	Gibbs	McTernan	Shanley
Cohen	Havens	Mead	Terpeny
Costello	Hoffman	Newman	Thilemann
Cushing	McAvoy	O'Connor	Torney
Dougherty	McCarthy	Parker	Tully

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned the bill entitled "An act to regulate examinations and reports of fire and fire and inland navigation insurance companies," with a message that they have concurred in the passage of the same with the following amendments :

In line 12 of engrossed bills, strike out the words "*not more than*" and insert "*on policies written within.*" Same line strike out the word "*dues.*" In line 19, strike out the word "*premiums*" and insert "*sum.*"

In section 3, line 4, after the word "*issued*" insert "*or renewed;*" line 5, strike out the word "*assignee*" and insert "*legal representatives;*" line 6, after the word "*party*" insert "*or his representatives as aforesaid;*" line 9, after the word "*issued*" insert "*or renewed.*"

Sec. 4, line 5, after the word "*issued*" insert "*or renewed;*" line 10, strike out the word "*customary*" and insert "*proportion;*" line 11, strike out the words "*short rate;*" line 12, after the word "*issued,*" insert "*or renewed.*"

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costello	Hayes	Sipp
Ash	Crapser	Lefever	Sisson
Baker, B. F.	Cullinan	Liddle	Slingerland
Baker, C. S.	Curtis	Lindsay	Steele
Beach	Cushing	Low	Tallmadge
Beates	Davis	McAvoy	Terpeny
Benedict, T. E.	Deane	Mead	Terry
Bradley	Dougherty	Miller	Thilemann
Brennan	Douglass	Mitchell	Tosier
Bridges	Duell	Nowlan	Travis
Brodsky	Ellis	O'Brien	Tuthill, H. H.
Bullock	Evans	O'Connor	Tuttle, R. M.
Carpenter, E. A.	Ferris	Parker	Van Valkenburgh
Carpenter, I. S.	Fish	Peck	Varnum
Case	Fiske	Rhodes	Wells, D. A.
Childs	Gibbs	Root	Wells, J. L.
Clark	Gray	Russell	Weston

Clowes  
Cohen  
Comstock  
Cookinham

Griggs  
Grosse  
Gwinup

Seeley  
Sherman  
Shuit

Wren  
Youngs  
Mr. Speaker

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The privileges of the floor were extended to Hon. George West, Hon. Michael Norton, Hon. A. A. Bissell, Hon. Wm. J. Perry and Hon. Rodney A. Ford, former members of the House.

Mr. Husted presented the report of the Regents of the University on the boundary lines of the State, and the re-survey of the joint New York and Pennsylvania line; which was laid on the table and ordered printed.

(See Doc. No. 100.)

Mr. Speaker presented the Annual Report of Poppenheusen Institute; which was laid on the table and ordered printed.

(See Doc. No. 99.)

The Senate returned the bill entitled "An act to release the interest of the people of the State of New York in and to lands of which Richard Byrd and Joseph Byrd died seized to Mary S. Bradley," with a message that they had concurred in the passage of the same with the following amendments:

Strike out all of section 2 and insert the following in lieu thereof: "Nothing herein contained shall be held or construed to affect the right, title, interest or demand of any heir at law, devisee, grantee, or of any creditor of the said Joseph Byrd or Richard Byrd, by judgment, mortgage or otherwise."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

{ AYES 91 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Kennedy	Sipp
Andrews	Cullinan	Lefever	Sisson
Ash	Curtis	Liddle	Skinner
Baker, B. F.	Cushing	Lindsay	Slingerland
Baker, O. S.	Davis	Low	Steele
Beach	Dougherty	McAvoy	Tallmadge
Beates	Douglass	McCabe	Terpeny
Benedict, E. D.	Duell	McDonald	Terry
Bradley	Ellis	Miller	Thilemann
Brennan	Evans	Mitchell	Titus
Bridges	Ferris	Nowlan	Tormey
Brodsky	Fish	O'Brien	Tozier
Bullock	Fiske	Parker	Travis
Carpenter, E. A.	Gillette	Peck	Tully
Carpenter, I. S.	Gorsline	Phillips	Tuttle, R. M.
Case	Gray	Root	Van Valkenburgh
Catlin	Griggs	Russell	Varnum
Chamberlain	Gwinup	Seeley	Wells, D. A.
Clark	Hagan	Shanley	Wells, J. L.
Clowes	Hoffman	Sheridan	Weston
Comstock	Howland	Sherman	Wren
Cookinham	Husted	Shuit	Youngs
Costello	Ingersoll		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned the bill entitled "An act to authorize the town of Flushing, in Queens county, to borrow money and issue bonds therefor, for the purpose of paying the indebtedness of said town," with a message that they had concurred in the passage of the same with the following amendment:

Amend title by striking out the words "*An act entitled*" first occurring.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Clowes	Griggs	Root
Andrews	Comstock	Gwinup	Russell
Ash	Cookinham	Hagan	Seeley
Baker, B. F.	Costello	Havens	Sherman
Baker, C. S.	Crapser	Hoffman	Shuit
Beach	Cullinan	Husted	Skinner
Beates	Curtis	Ingersoll	Slingerland
Benedict, E. D.	Cushing	Kennedy	Steele
Benedict, T. E.	Davis	Lefever	Tallmadge
Bradley	Dougherty	Liddle	Terpeny
Brennan	Douglass	McAvoy	Terry
Bridges	Duell	McCabe	Titus
Brodsky	Ellis	Miller	Tormey
Bullock	Evans	Mitchell	Tozier
Carpenter, E. A.	Ferris	Mooers	Treanor
Carpenter, I. S.	Fish	Newman	Tuthill, H. H.
Case	Fiske	Nowlan	Tuttle, R. M.
Catlin	Gibbs	O'Brien	Van Valkenburgh
Chamberlain	Gillette	Parker	Wells, D. A.
Childs	Gorsline	Peck	Mr. Speaker
Clark	Gray	Phillips	

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

Mr. Husted moved that the House proceed to order of business down to and including motions and resolutions.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Ellis introduced a bill entitled "An act authorizing certain officers of the town of Orleans to issue bonds to pay indebtedness of said town," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Miller introduced a bill entitled "An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. C. S. Baker introduced a bill entitled "An act in relation to the Rochester and Lake Ontario Railroad Company to confirm its present route, and authorize said company to hold and improve the

real estate now held and owned by said company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Mitchell introduced a bill entitled "An act to amend an act entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed February 17, 1848, and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Treanor introduced a bill entitled "An act to provide for leasing wharf property, necessary for ferry purposes, along with the franchise of a ferry within the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Cookinham introduced a bill entitled "An act to repeal chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Alvord introduced a bill entitled "An act to authorize the renewal of corporations whose corporate term has expired by limitation of time," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Cookinham introduced a bill entitled "An act to provide a public market in the city of Utica," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Steele, from the special committee on taxation, reported a bill entitled "An act to amend title 11 of chapter 13 of part 1 of the Revised Statutes in relation to assessments," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee of the whole.

Mr. Fiske introduced a bill entitled "An act to authorize and direct the county clerk of Richmond county to record certain papers now on file in the Richmond county clerk's office," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Fiske introduced a bill entitled "An act to authorize aliens to purchase and hold real estate in this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Mead introduced a bill entitled "An act to enable the common council of the city of Schenectady to borrow money to construct a building for city purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Travis introduced a bill entitled "An act to regulate the practice of veterinary medicine and surgery in this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Mr. Fish introduced a bill entitled "An act for the better protection of life insurance policy-holders," which was read the first time, and

by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. J. L. Wells introduced a bill entitled "An act to provide for the registration of certain bonds in the city and county of New York," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. J. L. Wells, and by unanimous consent, said bill was ordered engrossed for a third reading.

Mr. Andrews introduced a bill entitled "An act to prohibit disfranchisement," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Speaker introduced a bill entitled "An act to amend chapter 150 of the Laws of 1872, entitled 'An act to incorporate the city of Kingston,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Brennan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Evans (introductory No. 849), entitled "An act to provide for additional means to enforce the payment of costs," reported adversely thereto, which report was agreed to.

Mr. Brennan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Gwinup (introductory No. 580), entitled "An act for the protection of the interests of laborers and persons furnishing materials and supplies for procuring logs and timber from the woodlands and forests of the State," reported adversely thereto.

Mr. Gwinup moved that the question of agreeing to said report be laid on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Brennan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Bullock (introductory No. 778), entitled "An act to regulate the licensing of physicians and surgeons," reported said bill for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

Mr. Skinner, from the committee on railroads, to which was referred the bill introduced by Mr. Travis (introductory No. 634), entitled "An act to amend chapter 123, Laws of 1874, entitled 'An act to amend the charter of the Hudson Suspension Bridge and New England Railway Company,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Skinner, from the committee on railroads, to which was referred the bill introduced by Mr. Tozier (introductory No. 915), entitled "An act in relation to the indebtedness of the towns of Attica and Java, in the county of Wyoming," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Skinner, from the committee on railroads, to which was referred the bill introduced by Mr. Grosse (introductory No. 832), entitled "An act relating to the elevated railroads in the city of New York," reported a substitute for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Miller (introductory No. 938), entitled "An act to exempt the town of Lenox, in the county of Madison, from the provisions of chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Tuttle (introductory No. 687), entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Phillips (introductory No. 918), entitled "An act to regulate the dimensions and measurement of apple barrels," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Skinner (introductory No. 887), entitled "An act to enable the legal voters of any town, city or ward thereof, to determine whether the sale of intoxicating liquors shall be licensed therein except for medicinal, mechanical, art, scientific and sacramental purposes," reported said bill for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. D. A. Wells (introductory No. 477), entitled "An act to exempt Fulton county from the provisions and operations of chapter 175 of the Laws of 1870, entitled 'An act to create a board of town auditors in the several towns of this State, and to prescribe their powers and duties,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Miller (introductory No. 894), entitled "An act to authorize and direct the town board of the town of Lenox, Madison county, State of New York, to appoint an additional justice of the peace and constable in and for said town, also authorizing and directing the people of said town of Lenox to elect an additional justice of the peace and constable," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. E. A. Carpenter (introductory No. 649), entitled "An act to regulate the sale of certain liquors and to provide for the more effectual collection of excise dues," reported a substitute for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

Mr. Warner, from the committee on trade and manufactures, to which was referred the bill introduced by Mr. Wren (introductory No. 707), entitled "An act to authorize the Equity Gas Light Company

of the Eastern District of the city of Brooklyn to change its name," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Warner, from the committee on trade and manufactures, to which was referred the bill introduced by Mr. B. F. Baker (introductory No. 857), entitled "An act to amend chapter 381 of the Laws of 1877," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Tuthill moved that the committee on affairs of villages be discharged from the further consideration of the bill entitled "An act to authorize the construction and improvement of sidewalks in the streets of unincorporated villages and the application of highway labor thereto," and that the same be referred to the committee on roads and bridges.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Peck, from the committee on petitions of aliens, to which was referred the bill introduced by Mr. Youngs (introductory No. 917), entitled "An act to release the interest of the people of this State in certain real estate of which Paul Pontau, late of the city of Brooklyn, county of Kings, died seized, to Nannette Johnson," reported in favor of the passage of the same, which report was agreed to and said bill committed to the sub-committee of the whole.

Mr. Tozier moved to take from the table the motion to agree to the report of the committee on the judiciary adverse to the bill entitled "An act in relation to the publication of notices and surrogate's courts."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Tozier moved to recommit said bill to the committee on the judiciary.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Tozier moved to reconsider the vote just taken.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Tozier moved to disagree with the adverse report of the committee on the judiciary upon said entitled bill, and that the same be committed to the committee of the whole.

After debate,

Mr. Mitchell moved the previous question.

Mr. Speaker put the question, "Shall the main question now be put?" and it was determined in the negative.

After debate,

Mr. Alvord moved the previous question.

Mr. Speaker put the question "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Tozier, and it was determined in the negative.

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Chickering (introductory No. 786), entitled "An act to amend section 9, title 1, chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was referred the Senate bill (introductory No. 145), entitled "An act to establish a board of fire commissioners for the village of West Troy, in the county of Albany," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sherman offered for the consideration of the House a resolution in the words following:

*Resolved*, That Senate bill No. 109, entitled "An act authorizing the construction of a bridge over the Erie canal at Kent street, in the village of Palmyra," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Potter called for the consideration of the resolution heretofore offered by him, as follows:

*Resolved*, That the special committee on taxes and assessments be and they are hereby directed to report a bill to this House, providing that all bonds issued by or for any town, city or village in this State, to aid in the construction of any railroad therein, shall be deemed personal property within the town by or for which they were issued, and as such shall be subject to assessment and taxation in the same manner that bank shares are now assessed and taxed.

Mr. Potter moved that the same be referred to the special committee on taxation.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Husted offered for the consideration of the House a resolution in the words following:

*Resolved*, That Senate bill No. 114, entitled "An act to provide for the completion and opening for public travel of the New York and Brooklyn bridge, and to authorize the sale and conveyance of certain gores and pieces of lands by the trustees thereof," be made a special order for Thursday morning, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Husted offered for the consideration of the House a resolution in the words following:

*Resolved*, (if the Senate concur), That there be printed for the use of the Legislature 3,000 copies of the report of the commissioners appointed to settle the disputed boundary lines with the State of Connecticut.

*Ordered*, That said resolution be referred to the committee on public printing.

Mr. Rhodes offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That the Attorney-General be requested to apply to the Court of Appeals at the first opportunity consistent with the rules and practice of that court, for leave to withdraw and discontinue the appeal in the case of the People of the State of New York against Henry D. Dennison and others, with the view of



taking a new trial under the decision of the General Term of the Supreme Court in said action.

*Ordered*, That the same be laid upon the table.

Mr. Steele offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 521, general orders No. 596, entitled "An act to provide for raising taxes for the use of the State upon certain associations, corporations and joint-stock companies," be made a special order for Thursday, April 15, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Brodsky offered for the consideration of the House a resolution the words following:

*Resolved*, That Assembly bill No. 419, entitled "An act amending the Code of Civil Procedure," be recommitted to the standing committee on the judiciary, retaining its place in sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Brodsky offered for the consideration of the House a resolution in the words following:

*Resolved*, That Senate bill No. 53, entitled "An act to legalize certain proceedings of the common council of the city of New York," general orders No. 380, be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

Mr. Grosse offered for the consideration of the House a resolution in the words following:

*Resolved*, That the comptroller of the city of New York is hereby respectfully requested to furnish to this Assembly, within five days from date, a statement of

1. The names of all benevolent, charitable and corrective associations or institutions which, during the year 1879, have received from the treasury of the city and county of New York any money for their support;

2. The sum or sums said associations or institutions have each received during said period, how much *per capita* of their inmates, and from what fund or funds;

3. The authority by which said associations or institutions have been awarded such support;

4. The aggregate amount paid by the city of New York to said associations or institutions during said period;

5. The amount which the city, from all the funds belonging to her, has appropriated to said associations or institutions for the year 1880.

Said resolution giving rise to debate,

*Ordered*, That the same be laid upon the table.

Mr. Dean offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor asking for the return of Assembly bill No. 9, entitled "An act relative to janitors in district courts in the city of New York," for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. McCarthy offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 411, general orders No. 449, entitled "An act to extend the definition of the crime of perjury and for other purposes," be referred to first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. C. S. Baker offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee of conference, on the part of the Assembly, be discharged from the consideration of Assembly bill No. 13, entitled "An act to authorize the appointment of counselors at law as notaries public."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. C. S. Baker moved that the House do concur in the amendments of the Senate to the said bill.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative.

{ AYES 82 }  
{ NOES 00 }

# Those who voted in the affirmative, were

Alvord	Cookinham	Lefever	Sisson
Andrews	Costello	Liddle	Skinner
Ash	Crapsier	Lindsay	Slingerland
Baker, B. F.	Cullinan	McCabe	Steele
Baker, C. S.	Curtis	McCarthy	Tallmadge
Beach	Cushing	McDonald	Terpeny
Beates	Davis	Miller	Terry
Benedict, E. D.	Deane	Mitchell	Titus
Bennett	Douglass	Moors	Travis
Brennan	Duell	Morgan	Tuthill, H. H.
Bridges	Duguid	Newman	Tuttle, R. M.
Brodsky	Evans	Nowlan	Van Valkenburgh
Carpenter, E. A.	Ferris	O'Brien	Varnum
Catlin	Fish	Peck	Walsh
Chamberlain	Griggs	Phillips	Warner
Chase	Hoffman	Potter	Wells, D. A.
Chickering	Howland	Root	Wells, J. L.
Clark	Hurd	Russell	Weston
Clowes	Husted	Seeley	Wiley
Cohen	Ingersoll	Sherman	Youngs
Comstock	Kennedy		

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

Mr. Skinner offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee on insurance of the Assembly be and is hereby directed to ascertain and report to this body, within twenty

days, the total sum paid respectively by each insurance company of this State, during the last five years, for or on account of any examination of such insurance company by the direction of the Superintendent of the Insurance Department, such report to state in items the kind of service for which payment was made, the amount paid to each person who claimed compensation, and the amount claimed by each of said persons; also,

*Resolved*, That the said committee on insurance shall have power to send for persons and papers, if it shall deem such action necessary, and that it shall require all reports made to it by each of the insurance companies to be attested by the oaths of the officers making the returns.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Skinner offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee on insurance of the Assembly be and is hereby directed to ascertain and report to this body, within fifteen days, the date of the appointment of each receiver of any insurance company or companies in this State, the name of such receiver, by what judge he was appointed, what the appraised value of the assets of each said company was as made by said receiver, how much money has been realized by said receiver from the conversion of the assets of each company, how much money each receiver now has in his hands or on deposit, the sums he has on deposit and where deposited, whether on interest, and if so, the rate of interest, the amount of dividends, if any, paid to policy-holders, and the per cent of such dividends; and, further, the total expenditures by his receivership, the items of such expenses, and the persons to whom payments have been made by the receivers and for what purposes, and what fees or payments have been made to each of said receivers for his services as said receiver; also,

*Resolved*, That the said company have power to send for persons and papers, if it shall deem such action necessary.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Weston called for consideration of the resolution heretofore offered by him as follows:

*Resolved* (if the Senate concur), That this Legislature adjourns *sine die* on Saturday, the first day of May, 1880, at 12 o'clock M. of that day.

Mr. Alvord moved to lay said resolution on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in affirmative.

{ AYES 67 }  
{ NOES 42 }

Those who voted in the affirmative, were

Alvord	Cookinham	Ingersoll	Sherman
Ash	Curtis	Kennedy	Spason
Baker, B. F.	Davis	Lefever	Skinner
Baker, C. S.	Deane	Liddle	Slingerland
Beach	Douglass	Lindsay	Steele
Beates	Duguid	Low	Tallmadge
Benedict, T. E.	Ellis	McCarthy	Terry

Bradley	Evans	Miller	Titus
Brennan	Ferris	Mitchell	Travis
Bridges	Gillette	Mooers	Tuthill, H. H.
Brodsky	Gray	Morgan	Van Valkenburgh
Bullock	Griggs	Nowlan	Varnum
Case	Grosse	Peck	Wells, D. A.
Catlin	Havens	Phillips	Wiley
Chickering	Hayes	Russell	Wren
Clark	Hurd	Sheridan	Mr. Speaker
Clowes			

Those who voted in the negative, were

Andrews	Duell	Newman	Thilemann
Bennett	Gibbs	O'Brien	Tozier
Carpenter, E. A.	Gwinup	O'Connor	Treanor
Chamberlain	Hagan	Potter	Tully
Childs	Hoffman	Rhodes	Tuttle, R. M.
Cohen	Howland	Roberts	Walsh
Costello	Husted	Seeley	Warner
Crapser	McAvoy	Shanley	Wells, J. L.
Cullinan	McCabe	Shuit	Weston
Cushing	McDonald	Sipp	Youngs
Dougherty	McTernan		

Mr. Slingerland moved that the session be extended for the purpose of going through the order of business, motions and resolutions.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Husted offered for the consideration of the House a resolution in the words following :

*Resolved*, That Assembly bill No. 251, general orders 269, entitled "An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals for the fiscal year, commencing on the first day of October, 1880, and to provide for a contingent deficiency in the revenues of the canals for the calendar year 1880," be recommitted to the committee on canals, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Andrews offered for the consideration of the House a resolution in the words following :

*Resolved*, That the Senate resolution "that 2,000 extra copies of the First Annual Report of the Trustees of the Binghamton Asylum for the Insane be printed for the use of the Legislature and for the trustees of the asylum," be taken from the table and referred to the committee on public printing.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Slingerland offered for the consideration of the House a resolution in the words following :

*Resolved*, That on and after the 6th day of April, 1880, the House hold two sessions on Tuesdays, Wednesdays and Thursdays, the first session commencing at 10 o'clock A. M. and the second commencing at 4 o'clock P. M. and close at 6 o'clock P. M.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

At 2 o'clock and 15 minutes the House adjourned.

THURSDAY MORNING, APRIL 1, 1880.

The House met pursuant to adjournment.

No clergyman being present.

The journal of yesterday was read and approved.

Mr. Alvord presented the Eleventh New York Fishery Report for two years ending December 31, 1879; which was laid on the table and ordered printed.

(See Doc. No. 102.)

Mr. Alvord offered for the consideration of the House a resolution in the words following:

*Resolved*, That 1,000 copies of the Report of the New York Fishery Commission be printed for the use of the commissioners.

*Ordered*, That said resolution be referred to the committee on public printing.

By unanimous consent,

Senate bill entitled "An act in relation to assessments for taxes in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Lindsay	Sherman
Andrews	Curtis	Low	Shuit
Ash	Cushing	McAvoy	Sipp
Baker, C. S.	Davis	McCabe	Skinner
Beach	Deane	Miller	Slingerland
Beates	Dougherty	Mitchell	Tallmadge
Benedict, T. E.	Douglass	Mooers	Terpeny
Bradley	Duell	Morgan	Terry
Brennan	Evans	Newman	Tozier
Bridges	Fish	Nowlan	Travis
Brodsky	Fiske	O'Connor	Tully
Bullock	Gillette	Parker	Tuthill, H. H.
Catlin	Gorsline	Peck	Tuttle, R. M.
Chamberlain	Gray	Potter	Varnum
Chase	Havens	Potts	Warner
Childs	Hoffman	Roberts	Wells, D. A.
Clowes	Howland	Root	Wells, J. L.
Comstock	Ingersoll	Russell	Weston
Congdon	Kennedy	Sanders	Wren
Cookinham	Lefever	Seeley	Younge
Costello	Liddle	Sheridan	Mr. Speaker
Crapsér			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the order of business special order of the day.

Mr. Brennan moved to lay all order of business on the table for the

purpose of taking up order of business, reports of standing committees only.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. D. A. Wells (introductory No. 872), entitled "An act to confirm the official acts of George M. Briggs, Charles Forbes and George M. Brimmer, commissioners of excise in and for the town of Broadalbin, in the county of Fulton, and to enable them to execute a bond to the supervisor thereof," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Sisson (introductory No. 893), entitled "An act to amend section 27, article 2, title 2, chapter 1, part 4 of the Revised Statutes of the State of New York," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Chickering (introductory No. 594), entitled "An act relating to the title to personal property," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. D. A. Wells (introductory No. 866), entitled "An act to legalize the action of the annual town meeting of the town of Johnstown, in the county of Fulton, held on the 10th and 11th of February, 1880, in raising money for roads and bridges and authorizing the collection thereof," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was recommitted the Senate bill (introductory No. 94), entitled "An act to secure uniform ballots and preserve the purity of elections," retaining its place on third reading, reported in favor of the passage of the same with amendments.

Mr. Brennan moved that said bill do now have its third reading.

Mr. Speaker put the question whether the House would agree to the third reading of said bill, and it was determined in the affirmative.

{ AYES 86 }  
{ NOES 18 }

Those who voted in the affirmative, were

Alvord	Cullinan	Lefever	Shuit
Andrews	Curtis	Lindsay	Sipp
Ash	Davis	Low	Skinner
Baker, B. F.	Deane	McCabe	Steele
Baker, C. S.	Douglass	Miller	Strait
Beach	Duell	Mitchell	Tallmadge
Beates	Duguid	Mooers	Terpeny
Benedict, T. E.	Ellis	Nowlan	Terry
Bradley	Evans	O'Brien	Titus
Brennan	Ferris	Parker	Tozier
Brodsky	Fish	Peck	Travis

Bullock	Fiske	Pitcher	Tuthill, H. H.
Carpenter, E. A.	Gillette	Potter	Tuttle, R. M.
Case	Gorsline	Potts	Varnum
Chamberlain	Gray	Roberts	Warner
Chase	Grosse	Root	Wells, D. A.
Chickering	Gwinup	Russell	Wells, J. L.
Clark	Howland	Sanders	Weston
Clowes	Hurd	Seeley	Wren
Comstock	Husted	Sheridan	Youngs
Cookinham	Ingersoll	Sherman	Mr. Speaker
Crapser	Kennedy		

Those who voted in the negative, were

Benedict, E. D.	Costello	McAvoy	Rhodes
Bridges	Cushing	McDonald	Shanley
Catlin	Dougherty	McTernan	Treanor
Childs	Gibbs	Newman	Tully
Cohen	Havens		

Mr. Shanley moved to recommit said bill to the committee on the judiciary, with instructions to amend said bill in words following, and report forthwith.

"Nothing in this act shall apply to cities of three hundred thousand inhabitants or over."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Alvord moved the previous question.

Mr. Speaker put the question "Shall the main question now be put?" and it was determined in the affirmative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{ AYES 57 }  
{ NOES 47 }

Those who voted in the affirmative, were

Alvord	Crapser	Lefever	Seeley
Andrews	Davis	Low	Shuit
Ash	Douglass	McCabe	Sipp
Baker, B. F.	Duguid	Miller	Slingerland
Beach	Evans	Mitchell	Steele
Beates	Fish	Morgan	Terpeny
Benedict, T. E.	Fiske	Nowlan	Titus
Bradley	Gorsline	O'Brien	Travis
Brennan	Grosse	Peck	Tuthill, H. H.
Bullock	Havens	Pitcher	Tuttle, R. M.
Case	Hurd	Potter	Warner
Chase	Husted	Potts	Wells, D. A.
Clark	Ingersoll	Roberts	Wells, J. L.
Comstock	Kennedy	Root	Weston
Cookinham			

Those who voted in the negative, were

Baker, C. S.	Cushing	Lindsay	Shanley
Benedict, E. D.	Dougherty	McAvoy	Sheridan
Bennett	Ellis	McDonald	Sherman
Bridges	Ferris	McTernan	Skinner
Brotsky	Gibbs	Mooers	Tallmadge
Carpenter, E. A.			

Catlin	Gillette	Newman	Thilemann
Childs	Gray	O'Connor	Treanor
Clowes	Gwinup	Parker	Tully
Cohen	Hagan	Phillips	Varnum
Costello	Hayes	Rhodes	Wren
Cullinan	Hoffman	Russell	Youngs
Curtis	Howland	Sanders	

Mr. Alvord moved to reconsider the vote by which said bill was lost and that said motion do lay upon the table.

Mr. Speaker put the question whether the House would agree to said motion to lay on the table, and it was determined in the affirmative.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 126), entitled "An act to repress and punish disorderly conduct on public conveyances," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Hayes (introductory No. 773), entitled "An act to amend an act entitled 'An act to incorporate the contributors to the Northern dispensary of the city of New York, passed November 28, 1828,'" reported in favor of the passage of the same with amendments, and the title amended so as to read as follows: "An act to amend chapter 17 of the Laws of the second meeting of the 51st session of the Legislature of the State of New York, entitled 'An act to incorporate the contributors to the Northern dispensary of the city of New York,' passed November 28, 1828," which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Hayes (introductory No. 691), entitled "An act to provide for the erection and completion of a new Jefferson Market building in the fifth senatorial district in the city of New York," reported in favor of the passage of the same with amendments, and the title amended so as to read as follows: "An act to provide for the rebuilding of the market known as Jefferson Market in the city of New York," which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Russell (introductory No. 166), entitled "An act to incorporate an association to be known as the 'Exempt Firemen's Association of the Western District of the city of Brooklyn,' to be located in the western district of the city of Brooklyn," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Tallmadge (introductory No. 616), entitled "An act further to amend chapter 863 of the Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn and the various amendments thereof,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Treanor (introductory No. 959),



entitled "An act to provide for leasing wharf property, necessary for ferry purposes, along with the franchise of a ferry within the city of New York," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Skinner, from the committee on railroads, to which was referred the bill introduced by Mr. Bennett (introductory No. 522), entitled "An act to repeal chapter 373 of the Laws of 1855, in relation to the Second Avenue Railroad Company," reported adversely thereto, which report was agreed to.

Mr. Skinner, from the committee on railroads, to which was recommended the bill introduced by Mr. Catlin (introductory No. 658), entitled "An act to facilitate the carrying out of plans and agreements for the reorganization of railroads," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Skinner, from the committee on railroads, to which was referred the bill introduced by Mr. Husted (introductory No. 926), entitled "An act in relation to railroads," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Skinner, from the committee on railroads, to which was referred the bill introduced by Mr. Curtis (introductory No. 885), entitled "An act to provide for the election of a board of directors of the New York and Oswego Midland Railroad Company, and to compel the delivery of the stock books and papers relating to the stock of the said company, to the officers of said company," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Skinner, from the committee on railroads, to which was referred the bill introduced by Mr. Duguid (introductory No. 210), entitled "An act to regulate the transportation of freight by railroad corporations," reported said bill for the consideration of the House with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Skinner, from the committee on railroads, to which was referred the bill introduced by Mr. Duguid (introductory No. 213), entitled "An act to create a board of railroad commissioners, and to define and regulate their powers and duties," reported said bill for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

Mr. Duguid, from the committee on commerce and navigation, to which was referred the Senate bill (introductory No. 47), entitled "An act in relation to the port and harbor of New York and the waters near the same," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. C. S. Baker, from the committee on insurance, to which was referred the bill introduced by Mr. Catlin (introductory No. 637), entitled "An act to enable marine insurance companies to amend their charters," reported in favor of the passage of the accompanying substitute, which report was agreed to and said bill committed to the committee of the whole.

Mr. C. S. Baker, from the committee on insurance, to which was

referred the Senate bill (introductory No. 136), entitled "An act to provide for the formation of county co-operative insurance companies," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. C. S. Baker, from the committee on insurance, to which was referred the Senate bill (introductory No. 156), entitled "An act to protect the holders of casualty insurance policies, and to prevent the use of fictitious or deceptive names by individuals or corporations doing such insurance," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Ellis (introductory No. 953), entitled "An act authorizing certain officers of the town of Orleans to issue bonds to pay indebtedness of said town," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Dougherty (introductory No. 625), entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" reported said bill for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the Senate bill (introductory No. 139), entitled "An act in relation to the common lands of the town of Gravesend," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Tallmadge moved that immediately after the order of business reports of standing committees, the House do resolve itself in committee of the whole on said bill.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Warner, from the committee on trade and manufactures, to which was referred the bill introduced by Mr. Gwinup (introductory No. 663), entitled "An act to amend an act entitled 'An act to provide for the incorporation of exchanges or boards of trades,'" reported adversely thereto, which report was agreed to.

Mr. Warner, from the committee on trade and manufactures, to which was referred the Senate bill (introductory No. 146), entitled "An act to amend chapter 209 of the Laws of 1872, entitled 'An act to authorize the Blossburg Coal Company, the successors and assigns of the Bloss Coal Mining and Railroad Company, a corporation organized and existing under the laws of the Commonwealth of Pennsylvania,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Warner, from the committee on trade and manufactures, to which was referred the Senate bill (introductory No. 128), entitled "An act to amend chapter 535 of the Laws of 1871, entitled 'An act to extend the operation and effect of the act passed February 17, 1848, entitled 'An act to authorize the formation of corporations for

manufacturing, mining, mechanical or chemical purposes," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Chase, from the committee on agriculture, to which was referred the bill introduced by Mr. Douglass (introductory No. 940), entitled "An act to prevent the sale of any adulterated article as cider vinegar," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Chase, from the committee on agriculture, to which was referred the bill introduced by Mr. Youngs (introductory No. 890), entitled "An act for the protection of farmers and market-gardeners," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to release and convey to Emily Wundus the interest of the people of the State of New York in certain real estate in the city of Lockport."

"An act to release certain lands which have escheated to the State to Francis Marrin, the Father of Francis Marrin, late of the village of Fairport, Monroe county, New York."

"An act to release to Ellen Kennedy and others the right, title and interest of the people of the State of New York in and to certain real estate in the county of Madison, of which Richard Kennedy died seized."

"An act to transfer to Cornell University the securities, moneys and contracts constituting and relating to the Cornell Endowment Fund."

"An act extending the provisions and benefits of the mechanics' lien laws to excavations, dredging or substructure for wharves, piers, or slips between such wharves or piers, and to the construction, deepening or improvement of any water-course, channel or basin."

"An act relating to the care of animals."

"An act to provide for the payment of certain assessments on property of the Bridge Street African Methodist Episcopal Church of the city of Brooklyn."

"An act to amend chapter 121 of the Laws of 1835, entitled 'An act to incorporate the Troy Young Men's Association.'"

"An act to amend chapter 415 of the Laws of 1877, entitled 'An act for the protection of dairymen, and to prevent deception in sales of butter.'"

"An act to organize a fire department in the village of Madrid, St. Lawrence county, New York."

"An act in relation to the payment of costs on arrest, trial and punishment for crimes and misdemeanors in villages, and in relation to the civil jurisdiction of police justices therein."

"An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages.'"

"An act to authorize the appropriation of the moneys raised by the town of Otsego, in the county of Otsego, under chapter 482 of the Laws of 1875, to pay moneys borrowed by the supervisor of said town and used to secure to said town the use of the Otsego county courthouse building for town hall purposes."

"An act to legalize and confirm the action of the board of supervisors of the county of Ulster in the division of the town of Kings-

ton, in said county, by erecting the town of Ulster therefrom and attaching a portion thereof to the town of Woodstock, in said county."

"An act concerning the manufacture of salt and the inspection thereof."

"An act to release and grant the interest of the people of the State of New York in certain real estate in the city of Brooklyn, in the county of Kings, and State of New York, to Mary Ryan."

"An act to further amend chapter 175 of the Laws of 1878, entitled 'An act to amend section 2, chapter 33 of the Laws of 1878, entitled 'An act to amend chapter 516 of the Laws of 1867, entitled 'An act for the further protection of female employees in the city of New York.'"

"An act to provide for the navigation of the waters of the Wallkill creek, in the county of Ulster, by steamboats."

"An act to amend chapter 268 of the Laws of 1877, entitled 'An act in relation to the collection of taxes and the sales of land therefor in certain towns in Queens county.'"

"An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game.'"

"An act creating a board of town auditors in the town of Newtown, Queens county, and prescribing their powers and duties."

"An act to repeal chapter 176 of the Laws of 1878, entitled 'An act to repeal chapter 416 of the Laws of 1876, entitled 'An act to amend chapter 440 of the Laws of 1873, entitled 'An act requiring commissioners of highways to act as inspectors of plankroads and turnpikes, so far as the same relates to Ulster county.'"

"An act in relation to the county treasurers in the counties of Monroe and Seneca."

"An act to legalize the acts of Henry Stork as justice of the peace."

"An act to simplify the proof of the Sanitary Code in the city of New York."

"An act to prevent trespassing and intrusion upon railroad cars and engines."

"An act to incorporate the Grand Lodge Knights of Pythias of the State of New York."

"An act to limit commitments of children in the city and county of New York."

"An act to authorize the sale of subdivision number 15 of block number 27, in the third ward, and a part of subdivision 18 of block number 148, in the sixth ward, of the city of Oswego."

"An act to amend section 5 of chapter 448 of the Laws of 1876, entitled 'An act relating to courts, officers of justice and civil proceedings.'"

"An act to amend chapter 7 of the Laws of 1867, entitled 'An act to establish a board of education in and for the village school district of the town of Malone, in the county of Franklin, and for other purposes.'"

"An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers.'"

Mr. Chickering, from the committee on game laws, to which was referred the bill introduced by Mr. C. S. Baker (introductory No. 884), entitled "An act to provide for the protection of fish, etc., in Monroe county," reported said bill for the consideration of the House without amendment, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Low introduced a bill entitled "An act to authorize the selection, location and appropriation of certain lands in the village of Niagara Falls, for a State reservation, and to preserve the scenery of the falls of Niagara," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

By unanimous consent,

Mr. Costello introduced a bill entitled "An act for the relief of Peter Kehr, John A. Kellner and Louis Ott," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The Senate sent for concurrence the bill entitled "An act to extend the time for making assessments and correcting assessments for taxes in the city of New York," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Varnum, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Ingersoll	Sheridan
Andrews	Cushing	Kennedy	Sherman
Ash	Davis	Lefever	Shuit
Baker, B. F.	Deane	Lindsay	Skinner
Baker, C. S.	Dougherty	Low	Steele
Beach	Douglass	McAvoy	Tallmadge
Benedict, E. D.	Duell	McCabe	Terpeny
Benedict, T. E.	Duguid	McDonald	Terry
Bradley	Ellis	McTernan	Titus
Bridges	Evans	Miller	Tozier
Brodsky	Ferris	Mitchell	Travis
Carpenter, E. A.	Fish	Moors	Tully
Case	Fiske	Newman	Tuthill, H. H.
Catlin	Gibbs	Nowlan	Tuttle, R. M.
Chamberlain	Gillette	O'Connor	Varnum
Chase	Gorsline	Parker	Warner
Childs	Gray	Phillips	Waterbury
Clowes	Gwinup	Pitcher	Wells, D. A.
Cohen	Havens	Potter	Weston
Comstock	Hayes	Potts	Wren
Cookinham	Hoffman	Rhodes	Youngs
Costello	Howland	Root	Mr. Speaker
Cullinan	Hurd	Russell	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The House then resolved itself into a committee of the whole on the bill entitled as follows:

Senate, "An act in relation to the common lands of the town of Gravesend."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Slingerland, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Tallmadge moved to discharge the committee of the whole from the further consideration of said bill, and that said bill do now have its third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Said bill being announced for a third reading, Mr. C. S. Baker moved to recommit said bill to the committee on the judiciary, with instructions to amend said bill in words following, and report said bill forthwith; said amendments having been offered in the committee of the whole.

Section 4. Nothing contained in this act shall affect any action now pending relating to said common lands on Coney Island, or the right, title or claim of any person or persons in and to any of said common lands on Coney Island, or any part or parcel thereof, adverse to said town; and this act shall not be construed as defining or determining the rights of said town, in and to said common lands on Coney Island, or any part thereof; all questions of ownership and rights, and claims therein and thereto, shall be determined and decided the same as if this act had not been passed.

Mr. Husted moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the amendment offered by Mr. C. S. Baker, and it was determined in the negative.

Said bill was then read a third time

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 102 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Davis	Lindsay	Shuit
Andrews	Dougherty	Low	Sipp
Ash	Douglass	McAvoy	Sisson
Baker, B. F.	Duell	McCabe	Slingerland
Beach	Duguid	McDonald	Strait
Beates	Ellis	McTernan	Tallmadge
Benedict, E. D.	Evans	Miller	Terpeny
Benedict, T. E.	Ferris	Mitchell	Terry
Bennett	Fish	Mooers	Thilemann
Bradley	Fiske	Morgan	Titus
Brennan	Fitzgerald	Newman	Tormey
Bridges	Gibbs	Nowlan	Tozier
Brodsky	Gillette	O'Brien	Travis
Bullock	Gray	Parker	Treanor
Catlin	Grosse	Peck	Tully
Chamberlain	Gwinur	Phillips	Tuthill, H. H.
Chase	Hagan	Pitcher	Tuttle, R. M.
Chickering	Havens	Potter	Van Valkenburgh
Clark	Hayes	Potts,	Varnum

Clowes	Hoffman	Rhodes	Warner
Cohen	Howland	Roberts	Wells, D. A.
Comstock	Husted	Root	Wells, J. L.
Cookinham	Ingersoll	Russell	Wren
Costello	Kennedy	Shanley	Youngs
Cullinan	Lefever	Sheridan	Mr. Speaker
Cushing			

Those who voted in the negative, were

Baker, C. S.      Seeley

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order of the day being the following bills:

"An act to further amend chapter 25 of the Laws of 1870, entitled 'An act to incorporate the city of Rome,' and chapter 49 of the Laws of 1871, amendatory thereof, and to establish a board of police and fire commissioners."

"An act to amend sections 4 and 5 of title 2 of chapter 714 of the Laws of 1869, entitled 'An act to incorporate the city of Watertown.'"

Senate, "An act to provide for the completion and opening for public travel of the New York and Brooklyn bridge, and to authorize the sale and conveyance of certain gores and pieces of land by the trustees thereof."

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend sections 4 and 5 of title 2 of chapter 714 of the Laws of 1869, entitled 'An act to incorporate the city of Watertown.'"

"An act further to amend chapter 25 of the Laws of 1870, entitled 'An act to incorporate the city of Rome,' and chapter 49 of the Laws of 1871, amendatory thereof, and to establish a board of police and fire commissioners."

Senate, "An act to provide for the completion and opening for public travel of the New York and Brooklyn bridge, and to authorize the sale and conveyance of certain gores and pieces of land by the trustees thereof."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Russell, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Russell, from said committee, also reported progress on the second named bill, and asked and obtained leave to sit again.

Mr. Russell, from said committee, also reported in favor of the passage of the last named bill, which report was agreed to and the same ordered to a third reading.

Mr. Cookinham moved that the committee of the whole be discharged from the further consideration of the second named bill, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Alvord moved that the last named bill be now read a third time.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 3 }

Those who voted in the affirmative, were

Alvord	Davis	Lefever	Seeley
Andrews	Deane	Lindsay	Shanley
Baker, B. F.	Dougherty	Low	Sheridan
Beach	Douglass	McCabe	Sherman
Beates	Duguid	McTernan	Shuit
Benedict, E. D.	Evans	Mead	Skinner
Benedict, T. E.	Ferris	Miller	Slingerland
Bennett	Fish	Mitchell	Steele
Brennan	Fiske	Mooers	Strait
Bridges	Gibbs	Morgan	Tallmadge
Case	Gillette	Nowlan	Terpeny
Chase	Grosse	O'Connor	Terry
Chickering	Gwinup	Parker	Tozier
Clark	Hayes	Peck	Travis
Clowes	Hoffman	Phillips	Treanor
Cohen	Howland	Potter	Tuthill, H. H.
Comstock	Hurd	Potts	Tuttle, R. M.
Cookinham	Husted	Root	Warner
Cullinan	Ingersoll	Russell	Waterbury
Curtis	Kennedy	Sanders	Wells, D. A.
Cushing			

Those who voted in the negative, were

Bradley	Ellis	Wells, J. L.
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*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. D. A. Wells introduced a bill entitled "An act to release to the widows and children of Charles Dodge, deceased, the interest of the people of the State of New York in and to certain real estate in the county of Fulton," which was read the first time, and by unanimous consent was also read the second time, and referred to the sub-committee of the whole.

Mr. Duell introduced a bill entitled "An act to amend section 2, chapter 490 of the Laws of 1879, entitled 'An act to amend section 2, chapter 209 of the Laws of 1877, entitled 'An act regulating the amount of capital stock for fire and marine insurance companies,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Cookinham introduced a bill entitled "An act to create a board of charities in the several counties of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State charitable institutions.

Mr. Fiske introduced a bill entitled "An act to provide for payment of salary to the county clerk of Richmond county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.



Mr. B. F. Baker introduced a bill entitled "An act to facilitate the collection of judgments," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Terry introduced a bill entitled "An act to amend chapter 702 of the Laws of 1871, entitled 'An act relative to contracts for advertisements in newspapers published on Sunday,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Hurd, from the committee on canals, to which was referred the bill introduced by Mr. Hurd (introductory No. 568), entitled "An act to amend an act entitled 'An act to regulate the use of certain slips, piers and wharves on the East river in the city of New York,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole, Mr. Hayes, from the committee, dissenting.

By unanimous consent,

Mr. Hurd, from the committee on canals, to which was recommitted the bill introduced by Mr. Hurd (introductory No. 459) entitled "An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals for the fiscal year, commencing on the first day of October, 1880, and to provide for a contingent deficiency in the revenues of the canals for the calendar year, 1880," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Travis offered for the consideration of the House a resolution in the words following:

*Resolved*, That Senate bill No. 134, entitled "An act concerning tramps," be made a special order for Wednesday afternoon next, immediately after the meeting of the House.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Travis (introductory No. 944), entitled "An act to consolidate, amend and revise the charter of the village of Sing Sing, in the county of Westchester," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

A message from the Senate was received and read, informing of concurrence in the passage of the bill entitled as follows:

"An act to repeal chapter 515 of the Laws of 1879, entitled 'An act to amend chapter 675 of the Laws of 1875, entitled 'An act in relation to courts of record in the city and county of New York.'"

*Ordered*, That the Clerk deliver said bill to the Governor.

A message from the Senate was received and read, informing of concurrence in the passage of the following resolution:

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor asking for the return of Assembly bill No. 9, entitled "An act relative to janitors in district courts in the city of New York," for the purpose of amendment.

*Ordered*, That the Clerk deliver said resolution to the Governor.

By unanimous consent,

Mr. Sanders offered for the consideration of the House a resolution in the words following:

*Resolved*, That the bill introduced by Mr. Travis (introductory No. 944), entitled "An act to consolidate and revise the charter of the village of Sing Sing, in the county of Westchester," be ordered printed and recommitted to the committee on affairs of villages.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Deane offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 267, entitled "An act to provide for a public stand or market place, for farmers and market gardeners, in the city of New York, etc.," now on general orders, be recommitted to the committee on affairs of cities, with instructions to amend by substituting Senate bill No. 181 on the same subject, and to report forthwith, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Varnum, from the committee on cities, reported said bill as directed by the House.

On motion of Mr. Alvord, and at 1 o'clock and 55 minutes, the House took a recess until 4 o'clock.

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#### FOUR O'CLOCK, P. M.

The House again met.

Mr. Alvord offered for the consideration of the House a resolution in the words following:

*Resolved*, That bills entitled "An act to confirm the title to real estate now held or hereafter acquired by resident aliens"; and "An act to ascertain by proper proofs the citizens who shall be entitled to the right of suffrage in all towns and villages of this State whose boundary line shall abut against the boundary line of any city having a population of over 20,000 inhabitants," be made the special order for Tuesday next, at 4 o'clock, P. M.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Youngs offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 201, general orders No. 218, entitled "An act to authorize the trustees of the village of Flushing to exempt property from taxation," be referred to the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act in relation to a certain bridge over the Erie canal on Mill street in the city of Lockport."

"An act to improve the public health in the city of New York and the city of Brooklyn, by regulating the manufacturing of segars in the tenement houses of said cities."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Terry, from said committee, reported in favor of the passage of the first named bill with an amendment, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Terry, from said committee, also reported progress on the last named bill, and asked leave to sit again.

Mr. Grosse moved to discharge the committee of the whole from the further consideration of the second named bill, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

{ AYES 39 }  
{ NOES 51 }

Those who voted in the affirmative, were

Beates	Dougherty	Morgan	Tozier
Benedict, E. D.	Douglass	Newman	Treanor
Benedict, T. E.	Fitzgerald	O'Connor	Tuthill, H. H.
Brodsky	Gibbs	Root	Tuttle, R. M.
Bullock	Grosse	Seeley	Walsh
Clowes	Kennedy	Shanley	Warner
Cohen	Lefever	Sipp	Wells, J. L.
Cookinham	Lindsay	Tallmadge	Wren
Costello	McAvoy	Terpeny	Youngs
Cushing	Mead	Tormey	

Those who voted in the negative, were

Alvord	Cullinan	Ingersoll	Sherman
Andrews	Curtis	Low	Skinner
Baker, C. S.	Davis	McCabe	Steele
Beach	Duguid	Miller	Strait
Bennett	Ellis	Mitchell	Terry
Bradley	Evans	Moors	Thilemann
Brennan	Ferris	Parker	Titus
Bridges	Fiske	Peck	Travis
Catlin	Gray	Pitcher	Van Valkenburgh
Chamberlain	Havens	Potter	Wells, D. A.
Chickering	Howland	Potts	Weston
Childs	Hurd	Rhodes	Mr. Speaker
Clark	Husted	Roberts	

Mr. Alvord moved to recommit said bill to the committee on trade and manufactures, with instructions to strike out the enacting clause.

Mr. Alvord moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Alvord, and it was determined in the affirmative.

Mr. Speaker presented the report of the sub-committee of the whole; which was laid on the table and ordered printed.

(See Doc. No. 103.)

The hour of 6 o'clock having arrived the House adjourned.

## FRIDAY MORNING, APRIL 2, 1880.

The House met pursuant to adjournment.

Prayer by Rev. M. Yauch.

The journal of yesterday was read and approved.

Mr. Bradley offered for the consideration of the House a privileged resolution in the words following:

*Resolved*, That when this House adjourns to-day, it will adjourn to meet on Monday evening at 8 o'clock.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Beates moved that the committee of the whole be discharged from the further consideration of bill No. 238, entitled "An act for the division of the town of Tompkins in the county of Delaware, and for the erection of a new town from the western portion thereof," and that said bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Deane asked unanimous consent to discharge the committee of the whole from the further consideration of the bill entitled "An act to provide for the establishment and maintenance of a public market place for farmers and market gardeners, in the city of New York, for the acquisition of lands for this purpose, and for the regulation and management of the same," and that said bill be ordered to a third reading.

An objection being made,

Mr. Travis moved that this House do now resolve itself in committee of the whole on said named bill.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The House then resolved itself into a committee of the whole on the bill entitled as follows:

"An act to provide for the establishment and maintenance of a public market place for farmers and market gardeners, in the city of New York, for the acquisition of lands for this purpose, and for the regulation and management of the same."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Sisson, from said committee, reported in favor of the passage of said bill, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Cohen moved to disagree with said report, and that said bill be recommitted to the committee on affairs of cities, with instructions to strike out the enacting clause.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the report of the committee, and it was determined in the affirmative.

*Ordered*, That said bill be engrossed for a third reading.

On motion of Mr. Skinner, and by unanimous consent, the committee of the whole was discharged from the further consideration of bill

No. 492, entitled "An act to authorize the water commissioners of the city of Watertown to borrow money for more fully supplying said city with water, and to issue bonds founded upon the credit of said city for the payment of such loan," and said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costello	Howland	Sheridan
Ash	Cullinan	Kennedy	Sherman
Baker, B. F.	Curtis	Lefever	Sipp
Baker, C. S.	Deane	Liddle	Sisson
Beach	Dougherty	Lindsay	Skinner
Beates	Douglass	Low	Slingerland
Benedict, T. E.	Duell	McCabe	Steele
Bradley	Duguid	Miller	Terpeny
Brennan	Ellis	Mitchell	Terry
Bridges	Evans	Mooers	Tozier
Brodsky	Ferris	Newman	Travis
Case	Fish	Nowlan	Treanor
Catlin	Fiske	O'Brien	Tuthill, H. H.
Chamberlain	Gibbs	O'Connor	Tuttle, R. M.
Chase	Gillette	Parker	Van Valkenburgh
Chickering	Gorsline	Peck	Varnum
Childs	Gray	Phillips	Warner
Clark	Griggs	Potts	Wells, D. A.
Clowes	Grosse	Rhodes	Wells, J. L.
Cohen	Gwinup	Root	Wiley
Comstock	Hayes	Russell	Wren
Cookinham	Hoffman	Shanley	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned Assembly bill entitled "An act to provide for the improvement and care of private parks in the several cities in this State," with a message that the vote on the final passage of said bill had been reconsidered and, as amended, passed.

*Ordered*, That the Clerk deliver said bill to the Governor.

A message from the Senate was received and read, informing of concurrence in the following bills:

"An act to authorize the town of Flushing, in Queens county, to borrow money and issue bonds therefor, for the purpose of paying the indebtedness of said town."

"An act to repeal chapter 402 of the Laws of 1878, entitled 'An act to authorize the county clerk of Kings county to arrange, assort and repair all judgments, decrees, orders and other papers filed or deposited in Kings county clerk's office, and to record and certify mutilated or injured writings affecting the title to real estate in said county, and providing compensation for his services in that respect.'"

The Senate returned the bills entitled as follows:

"An act for the better security of mechanics, laborers and others who perform labor or furnish materials for buildings and other improvements on land in the city of Buffalo."

"An act to amend chapter 589 of the Laws of 1875, entitled 'An

act to extend the powers of the trustees of the village of Wilson, in the county of Niagara."

"An act to release the interest of the people of the State of New York in and to lands of which Richard Byrd and Joseph Byrd died seized to Mary S Bradley."

"An act making appropriations for the support of government."

"An act in relation to the overseers of the poor of the town of Hempstead, Queens county."

*Ordered*, That the Clerk deliver said bills to the Governor.

By unanimous consent,

Mr. J. L. Wells introduced a bill entitled "An act to amend the charter of the Germania Fire Insurance Company, so as to change time of election of directors," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. J. L. Wells, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Van Valkenburgh introduced a bill entitled "An act to amend chapter 401 of the Laws of 1877, entitled 'An act to amend chapter 767 of the Laws of 1872, entitled 'An act to establish the compensation of county judges and surrogates, pursuant to the fifteenth section of the amended sixth article of the Constitution,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Brennan introduced a bill entitled "An act to authorize the Comptroller to compromise and settle claims against the sureties of the New York and Erie Bank of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Comstock moved that the bill entitled "An act to amend chapter 30 of the Laws of 1880, entitled 'An act to amend chapter 598 of the Laws of 1870, entitled 'An act to amend an act to incorporate the city of Troy, passed April 12, 1816, and the several acts amendatory thereof, and also to amend other acts relating to the city of Troy,' and supplementary thereto," passed February 27, 1880, be made a special order for Wednesday afternoon next, immediately after the House convenes.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The Senate sent for concurrence the bills entitled as follows:

"An act to incorporate the Temple Beth Zion of Buffalo, New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act farther to amend chapter 417 of the Laws of 1862, entitled 'An act to alter the term for which criminals may be sentenced to State prisons, and to provide for their earning a commutation of sentence, and an increase of the amount to be paid them on their dis-

charge," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 559 of the Laws of 1874, entitled 'An act to incorporate the Niagara Grand Island Bridge Company,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act making appropriations for the several judicial district libraries," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

"An act to amend the Code of Civil Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to legalize the acts of John K. Hardin as notary public," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to further amend chapter 908 of the Laws of 1867, entitled 'An act for the regulation of tenement and lodging houses in the cities of New York and Brooklyn,'" as amended by chapter 504 of the Laws of 1879, which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

A message was received from the Governor in the words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, {  
ALBANY, April 2, 1880. }

*To the Assembly:*

Pursuant to a joint resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 9, entitled "An act relative to janitors in district courts in the city of New York."

ALONZO B. CORNELL

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Husted	Potts
Baker, B. F.	Costello	Ingersoll	Rhodes
Beach	Cullinan	Kennedy	Root
Beates	Davis	Lefever	Russell
Benedict, E. D.	Deane	Liddle	Sheridan
Benedict, T. E.	Dougherty	Low	Sherman
Bennett	Douglass	McAvoy	Sisson
Bradley	Duell	McCabe	Slingerland
Brennan	Duguid	McTernan	Tallmadge
Bridges	Ellis	Miller	Terpeny
Brotsky	Evans	Mitchell	Tozier
Case	Ferris	Morgan	Travis
Catlin	Fish	Newman	Tuthill, H. H.
Chamberlain	Fiske	Nowlan	Tuttle, R. M.

Chase	Gillette	O'Brien	Van Valkenburgh
Chickering	Gorsline	O'Connor	Warner
Childs	Gray	Parker	Wells, D. A.
Clark	Gwinup	Peck	Wells, J. L.
Clowes	Hayes	Phillips	Wiley
Cohen	Hoffman	Pitcher	Wren
Comstock	Howland	Potter	Youngs

On motion of Mr. Hayes, and by unanimous consent, said bill was amended in words following:

Strike out of lines 6 and 7, of section 1, printed bill, the words "the salaries heretofore fixed and paid to district court janitors," and insert in lieu thereof the following, "a yearly salary of nine hundred dollars."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 8 }

Those who voted in the affirmative, were

Alvord	Deane	McAvoy	Sheridan
Ash	Dougherty	McCabe	Sherman
Baker, B. F.	Douglass	Miller	Skinner
Beach	Duguid	Mitchell	Slingerland
Beates	Evans	Morgan	Tallmadge
Bradley	Ferris	Newman	Terpeny
Brennan	Fiske	Nowlan	Terry
Bridges	Gorsline	O'Brien	Tozier
Brodsky	Gray	O'Connor	Travis
Case	Griggs	Peck	Tuthill, H. H.
Catlin	Hayes	Phillips	Tuttle, R. M.
Chamberlain	Howland	Pitcher	Van Valkenburgh
Chase	Hurd	Potter	Varnum
Chickering	Husted	Potts	Walsh
Childs	Ingersoll	Rhodes	Warner
Comstock	Kennedy	Root	Wells, D. A.
Cookinham	Lefever	Russell	Wren
Cullinan	Liddle	Sanders	Youngs
Cushing	Lindsay	Shanley	Mr. Speaker
Davis	Low		

Those who voted in the negative, were

Benedict, E. D.	Bennett	Gibbs	Hoffman
Benedict, T. E.	Cohen	Havens	Treanor

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

The Senate sent for concurrence the following resolution:

*Resolved* (if the Assembly concur), That a joint convention of the Senate and Assembly be held on Tuesday, the 6th day of April, at 12 o'clock noon, in the Assembly Chamber, for the purpose of electing a State Superintendent of Public Instruction.

By unanimous consent,

Mr. Speaker put the question whether the House would concur in said resolution, and it was determined in the affirmative.



*Ordered*, That the Clerk return said resolution to the Senate, with a message informing of concurrence therein.

Pursuant to the ninth joint rule, Mr. Speaker announced the order of business, third reading of bills.

"An act to amend section 8 of chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Deane	Liddle	Sisson
Ash	Duell	Low	Skinner
Baker, B. F.	Duguid	McAvoy	Slingerland
Baker, C. S.	Ellis	McCabe	Steele
Beach	Evans	Miller	Terpeny
Benedict, E. D.	Fish	Mitchell	Terry
Bennett	Fiske	Mooers	Tozier
Bradley	Gibbs	Nowlan	Treanor
Brennan	Gorsline	Parker	Tuthill, H. H.
Bridges	Gray	Peck	Tuttle, R. M.
Brodsky	Griggs	Potter	Van Valkenburgh
Chickering	Grosse	Potts	Varnum
Childs	Gwinup	Rhodes	Walsh
Clark	Hayes	Root	Warner
Cohen	Hoffman	Russell	Waterbury
Comstock	Howland	Sanders	Wells, D. A.
Cookinham	Husted	Seeley	Wells, J. L.
Cullinan	Ingersoll	Sheridan	Wiley
Curtis	Kennedy	Sherman	Wren
Davis	Lefever		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

"An act to authorize the treasurer of Steuben county to sell property for unpaid taxes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Liddle	Shanley
Ash	Deane	Lindsay	Sheridan
Baker, B. F.	Dougherty	Low	Sherman
Baker, C. S.	Douglass	McAvoy	Skinner
Beach	Duell	McCabe	Slingerland
Beates	Duguid	Miller	Steele
Benedict, T. E.	Evans	Mitchell	Tallmadge
Bradley	Fiske	Mooers	Terpeny
Brennan	Gibbs	Nowlan	Terry
Bridges	Gillette	O'Brien	Tozier
Brodsky	Gorsline	O'Connor	Travis
Case	Gray	Parker	Treanor

Chamberlain	Griggs	Peck	Tuthill, H. H.
Chase	Gwinup	Phillips	Tuttle, R. M.
Chickering	Hoffman	Pitcher	Van Valkenburgh
Childs	Hurd	Potter	Wells, D. A.
Clark	Husted	Potts	Wiley
Comstock	Ingersoll	Rhodes	Wren
Cullinan	Kennedy	Root	Youngs
Curtis	Lefever	Sanders	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

"An act to declare Independence river and its tributaries in Lewis and Herkimer counties a public highway," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Kennedy	Root
Ash	Davis	Lefever	Russell
Baker, C. S.	Deane	Liddle	Sanders
Beach	Dougherty	Lindsay	Sheridan
Benedict, E. D.	Douglass	Low	Sherman
Benedict, T. E.	Duell	McAvoy	Sisson
Bennett	Duguid	McCabe	Skinner
Bradley	Ellis	Mead	Slingerland
Brennan	Evans	Miller	Steele
Bridges	Gibbs	Mitchell	Terpeny
Brodsky	Gillette	Moers	Thilemann
Case	Gorsline	Morgan	Tozier
Catlin	Gray	Newman	Travis
Chamberlain	Griggs	Nowlan	Treanor
Chase	Gwinup	O'Connor	Tuthill, H. H.
Chickering	Havens	Parker	Tuttle, R. M.
Clark	Hayes	Peck	Van Valkenburgh
Clowes	Hoffman	Phillips	Wells, J. L.
Comstock	Hurd	Pitcher	Wiley
Cookinham	Husted	Potter	Wren
Costello	Ingersoll	Rhodes	Youngs
Cullinan			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Rhodes, and by unanimous consent, the resolution previously offered by him relative to the appeal in the case of the People of the State of New York against Henry D. Dennison and others, with a view of taking a new trial under the decision of the General Term of the Supreme Court in said action, was taken from the table and referred to the committee on the judiciary.

"An act to amend chapter 371 of the Laws of 1875, entitled 'An act to conform the charters of all savings banks or institutions for savings to a uniformity of powers, rights and liabilities, and to provide for the organizations of savings banks, for their supervision and for the administration of their affairs,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a

majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	McCabe	Sheridan
Ash	Deane	McDonald	Sherman
Baker, C. S.	Dougherty	Mead	Sipp
Beach	Douglass	Miller	Skinner
Beates	Duell	Mitchell	Slingerland
Benedict, T. E.	Duguid	Morgan	Steele
Bennett	Ellis	Nowlan	Tallmadge
Bradley	Fiske	O'Brien	Terpeny
Brennan	Gibbs	Parker	Terry
Bridges	Gillette	Peck	Tozier
Brodsky	Gorsline	Phillips	Travis
Case	Gray	Potter	Tuthill, H. H.
Chamberlain	Grosse	Potts	Tuttle, R. M.
Chase	Hayes	Rhodes	Van Valkenburgh
Chickering	Hoffman	Roberts	Warner
Childs	Lefever	Root	Wells, J. L.
Clark	Liddle	Russell	Wiley
Comstock	Lindsay	Sanders	Wren
Costello	Low	Shanley	Youngs
Cullinan	McAvoy		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Sherman, and by unanimous consent, the bill entitled "An act to abolish the office of railroad commissioners of the town of Augusta, in the county of Oneida, and to authorize the supervisor of said town to discharge the duties now pertaining to said office," was recommitted to the committee on internal affairs, retaining its place on third reading of bills.

"An act to amend chapter 515 of the Laws of 1871, entitled 'An act to prevent fraud in auction sales, and fraudulent conduct on the part of auctioneers in the cities of New York and Brooklyn,' " being announced for a third reading, Mr. J. L. Wells moved to recommit said bill to the committee on the judiciary, with instructions to amend in words following, and report forthwith:

Line 29, strike out the word "twenty" and insert the word "five."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Cohen moved to recommit said bill to the committee on the judiciary, with instructions to amend said bill in words following:

Line 25, strike out "comptroller" and insert "mayor," and report forthwith.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. J. L. Wells moved to recommit said bill to the committee on the judiciary, with instructions to amend said bill in words following:

Line 26, strike out word "ten" and insert "six," and report forthwith.

Mr. Hayes moved the previous question.

Mr. Speaker put the question, "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker then put the question, on the motion of Mr. J. L. Wells, and it was determined in the affirmative.

Mr. Terry, from the committee on the judiciary, reported back said bill as instructed by the House.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Cushing	Ingersoll	Sanders
Ash	Davis	Kennedy	Shanley
Baker, B. F.	Deane	Lefever	Sheridan
Baker, C. S.	Dougherty	Liddle	Sipp
Beach	Duell	Lindsay	Sisson
Beates	Duguid	Low	Skinner
Benedict, E. D.	Ellis	McAvoy	Tallmadge
Benedict, T. E.	Evans	McDonald	Terry
Bennett	Fish	Mead	Thilemann
Bradley	Fiske	Morgan	Tozier
Bridges	Fitzgerald	Newman	Travis
Brodsky	Gillette	Nowlan	Tuthill, H. H.
Case	Gray	O'Connor	Tuttle, R. M.
Chase	Griggs	Parker	Van Valkenburgh
Chickering	Grosse	Phillips	Varnum
Childs	Havens	Pitcher	Walsh
Clowes	Hayes	Potter	Warner
Comstock	Hoffman	Potts	Wells, D. A.
Cookinham	Howland	Rhodes	Wells, J. L.
Costello	Hurd	Root	Wren
Cullinan	Husted	Russell	Youngs
Curtis			

Those who voted in the negative, were

Cohen                      McTernan

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows :

"An act for the division of the town of Tompkins, in the county of Delaware, and for the erection of a new town from the western portion thereof."

The Senate returned Senate bill entitled "An act in relation to the common lands of the town of Gravesend," with a message that they had concurred in the amendments therein of the Assembly, and passed the same, with the following additional amendments :

Add as section 5 the following :

Sec. 5. "Nothing contained in this act shall affect any action now pending relating to said common lands on Coney Island, or the right, title or claim of any person or persons in and to any of said common lands on Coney Island, or any part or parcel thereof adverse to said town. And this act shall not be construed as defining or determining the rights of said town in and to said common lands on Coney Island or any part thereof. All questions of ownership and rights and claims therein and thereto shall be determined and decided the same as if this act had not been passed."

Mr. Newman moved to non-concur in the amendments of the Senate

to said bill, and that a conference committee be appointed on the part of the House, and request a like committee on the part of the Senate.

Mr. Alvord moved the previous question.

Mr. Speaker put the question, "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker then put the question on the motion of Mr. Newman, and it was determined in the negative.

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Costello	Kennedy	Sanders
Ash	Cullinan	Lefever	Seeley
Baker, B. F.	Curtis	Liddle	Sheridan
Baker, C. S.	Davis	Lindsay	Sipp
Beach	Deane	Low	Skinner
Beates	Dougherty	McAvoy	Slingerland
Bennett	Duell	McCabe	Tallmadge
Bradley	Evans	McDonald	Terry
Brennan	Fish	McTernan	Thilemann
Bridges	Fitzgerald	Mitchell	Tozier
Brodsky	Gibbs	Morgan	Travis
Case	Gillette	Nowlan	Tuthill, H. H.
Catlin	Griggs	O'Brien	Tuttle, R. M.
Chase	Grosse	Phillips	Van Valkenburgh
Chickering	Gwinup	Pitcher	Varnum
Childs	Hayes	Potts	Walsh
Clark	Hoffman	Rhodes	Warner
Cohen	Howland	Root	Wells, J. L.
Comstock	Hurd	Russell	Wren
Cookinham	Husted		

Those who voted in the negative, were

Newman

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

Mr. Rhodes moved that the committee of the whole be discharged from the further consideration of the bill entitled "An act to amend chapter 121 of the Laws of 1835, entitled 'An act to incorporate the Young Men's Association,'" and said bill be now read a third time.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Kennedy	Sanders
Ash	Deane	Lefever	Shanley

Baker, B. F.	Dougherty	Little	Sheridan
Baker, C. S.	Duell	Lindsay	Sipp
Beach	Ellis	Low	Skinner
Beates	Evans	McAvoy	Slingerland
Benedict, T. E.	Fiske	McCabe	Tallmadge
Bennett	Gibbs	McDonald	Terry
Bradley	Gillette	McTernan	Thilemann
Brennan	Gorsline	Mitchell	Tozier
Bridges	Gray	Morgan	Travis
Brodsky	Griggs	Nowlan	Tuthill, H. H.
Catlin	Grosse	O'Connor	Tuttle, R. M.
Chase	Gwinup	Phillips	Van Valkenburgh
Chickering	Havens	Pitcher	Varnum
Childs	Hayes	Potter	Walsh
Clark	Hoffman	Potts	Warner
Comstock	Howland	Rhodes	Wells, J. L.
Cookinham	Hurd	Root	Wiley
Cullinan	Husted	Russell	Wren
Curtis	Ingersoll		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Husted moved to lay said order of business on the table for the purpose of taking up order of business reports of standing committees.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Low (introductory No. 973), entitled "An act to authorize the selection and appropriation of certain lands in the village of Niagara Falls for a State reservation, and to preserve the scenery of the falls of Niagara," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Husted, from the committee on ways and means, to which was referred the Senate bill (introductory No. 143), entitled "An act to amend chapter 104 of the Laws of 1877, entitled 'An act to authorize the treasurer of Monroe county to sell property for unpaid taxes,'" reported in favor of the passage of the same.

On motion of Mr. Husted, and by unanimous consent, said bill was ordered engrossed for a third reading.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Terry (introductory No. 454), entitled "An act to collect and preserve the waters in the upper Hudson river and its tributaries, and utilize the same for purposes of canal and river navigation in seasons of low water and drought," reported in favor of the passage of the same with amendment, which report was agreed to and said bill committed to the committee of the whole.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Hayes (introductory No. 299), entitled "An act to authorize the appointment of a commission to investigate the condition of the hospitals, asylums and other places where the insane are confined, and the fitness and efficiency of the State Commissioner in Lunacy and to make an appropriation therefor," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Husted, from the committee on ways and means, to which was referred the Senate bill (introductory No. 157), entitled "An act to authorize the treasurer of Orleans county to sell property for unpaid taxes," reported in favor of the passage of the same with amendments.

On motion of Mr. Husted, and by unanimous consent, said bill was ordered engrossed for a third reading.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Fiske (introductory No. 966), entitled "An act to provide for payment of a salary to the county clerks of Richmond and Franklin counties, in lieu of all charges now made against the county," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Havens (introductory No. 929), entitled "An act to enable the town of Esperance, in Schoharie county, to fund a bonded debt at a reduced rate of interest," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Miller (introductory No. 937), entitled "An act to incorporate the Holstein Breeders Association of America," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Tozier, from the committee on general laws, to which was referred the bill introduced by Mr. E. D. Benedict (introductory No. 923), entitled "An act authorizing the board of trustees of school district No. 3 of the town of New Lots, in the county of Kings, to issue bonds to the amount of \$10,000, to refund or pay a like amount of bonds issued by said board of trustees for the erection of a school-house in pursuance of chapter 191, Laws of 1870," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Hoffman (introductory No. 768), entitled "An act to vest in the board of supervisors certain additional powers," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Tozier, from the committee on general laws, to which was referred the bill introduced by Mr. McAvoy (introductory No. 899), entitled "An act granting rights to cities, counties and towns," reported in favor of the passage of the same as amended, which report was agreed to and said bill committed to the committee of the whole.

Mr. Tozier, from the committee on general laws, to which was referred the bill introduced by Mr. Potter (introductory No. 901), entitled "An act to repeal chapter 907 of the Laws of 1869, entitled 'An act to amend an act entitled 'An act to authorize the formation of railroad corporations and to regulate the same,' passed April 2, 1850, so as to permit municipal corporations to aid in the construction of railroads," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Leave of absence was granted to Mr. Weston.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Liddle (introductory No. 931), entitled "An act to amend chapter 918 of the Laws of 1871, entitled 'An act to amend the charter of the city of Cohoes,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Lindsay (introductory No. 106), entitled "An act to repeal part of chapter 346 of the Laws of 1878, entitled 'An act relative to the collection of taxes and assessments in the city of Brooklyn,'" reported adversely thereto, which report was agreed to.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Shanley (introductory No. 676), entitled "An act to relieve property heavily incumbered by taxes and assessments in the city of Brooklyn, and to enable the city to realize a portion of its claims thereon, to the end that such property may be improved and again become tax-paying property," reported adversely thereto, which report was agreed to.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Tallmadge (introductory No. 587), entitled "An act in relation to certain unpaid taxes and assessments in the city of Brooklyn," reported adversely thereto, which report was agreed to.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Sheridan (introductory No. 612), entitled "An act in relation to unpaid taxes and assessments in the city of Brooklyn," reported adversely thereto, which report was agreed to.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Tallmadge (introductory No. 500), entitled "An act for the better government of the city of Brooklyn," reported adversely thereto, which report was agreed to.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Tormey (introductory No. 426), entitled "An act in relation to the repavement, with Nicholson pavement, of Atlantic avenue in the city of Brooklyn," reported adversely thereto, which report was agreed to.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Russell (introductory No. 812), entitled "An act relating to the collection of the unpaid taxes, water rates and assessments in the city of Brooklyn," reported adversely thereto, which report was agreed to.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Rhodes (introductory No. 40), entitled "An act to amend an act entitled 'An act to incorporate the city of Troy,' passed April 12, 1816," reported adversely thereto, which report was agreed to.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Shanley (introductory No. 220), entitled "An act to provide for the better and more economical government of the city of Brooklyn," reported adversely thereto, which report was agreed to.

Mr. Varnum, from the committee on affairs of cities, to which was



referred the bill introduced by Mr. Costello (introductory No. 431), entitled "An act in relation to certain employees of the mayor, aldermen and commonalty of the city of New York," reported adversely thereto, which report was agreed to.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Costello (introductory No. 490), entitled "An act in relation to certain employees of the mayor, aldermen and commonalty of the city of New York," reported adversely thereto, which report was agreed to.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Tallmadge (introductory No. 183), entitled "An act to incorporate the Exempt Firemen's Charitable Association of the Western District of the city of Brooklyn," reported adversely thereto, which report was agreed to.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Hoffman (introductory No. 458), entitled "An act to amend chapter 370 of the Laws of 1875, entitled 'An act to amend and consolidate the several acts relating to the city of Elmira,'" reported adversely thereto, which report was agreed to.

Mr. Varnum from the committee on affairs of cities, to which was referred the bill introduced by Mr. Gillette (introductory No. 695), entitled "An act to amend chapter 468 of the Laws of 1872, entitled 'An act to revise, amend and consolidate the several acts in relation to the charter of the city of Hudson,'" reported adversely thereto, which report was agreed to.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Comstock (introductory No. 503), entitled "An act to authorize the city of Troy to issue its bonds to procure means to pay for the erection of four school buildings, and to obtain the necessary sites for the same," reported adversely thereto, which report was agreed to.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Wren (introductory No. 731), entitled "An act to amend chapter 467 of the Laws of 1879, entitled 'An act to amend chapter 459 of the Laws of 1877, entitled 'An act in relation to salaries, fees, percentage and allowances of the offices of the city of Brooklyn,'" reported said bill for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Hayes (introductory No. 900), entitled "An act to provide for excavating, tunneling and bridging, for transportation purposes, within villages and cities of the State," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Sharpe (introductory No. 960), entitled "An act to amend chapter 150 of the Laws of 1872, entitled 'An act to incorporate the city of Kingston,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Varnum (introductory No. 291), entitled "An act relating to fees, percentages and allowances of public officers

a burden upon and a charge against the various cities of the State," reported said bill for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Roberts (introductory No. 190), entitled "An act to amend chapter 519 of the Laws of 1870, entitled 'An act to revise the charter of the city of Buffalo,'" reported adversely thereto, which report was agreed to.

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. S7), entitled "An act in relation to the government of the city of Brooklyn," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 140), entitled "An act in relation to the public baths in the city of Brooklyn," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 115), entitled "An act to amend chapter 873 of the Laws of 1866, entitled 'An act to amend and reduce to one act the several acts relating to buildings, and the keeping and storage of combustible materials in the city of New York,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 148), entitled "An act to provide for the improvement of Morningside park in the city of New York and of the streets and avenues bounding said park," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Ingersoll presented the report of the special committee to investigate the leasing of the Plattsburgh and Dannemora Railroad; which was laid on the table and ordered printed.

(See Doc. No. 105.)

Mr. Low offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That there be printed of the Fourth Report of the State Survey and Special Report on the Preservation of the Scenery of Niagara Falls, twenty copies for each member, and five copies for each officer and reporter of the Legislature, and 2,000 copies for the department of the State Survey under the order of the Director of the State Survey.

*Ordered*, That said resolution be referred to the committee on public printing.

Mr. Husted moved that the committee appointed on the acoustic qualities of the Assembly Chamber be authorized to spend the sum of \$100.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Alvord, and at 1 o'clock and 30 minutes, the House adjourned.

## MONDAY EVENING, APRIL 5, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Magee.

The journal of Friday was read and approved.

A message from the Senate was received and read, informing of concurrence in the amendments of the Assembly to the bill entitled as follows:

"An act to amend sections 17 and 18 of article 2, title 9, part 1 of the Revised Statutes, entitled 'Of the Canal Commissioners and their general powers and duties.'"

*Ordered*, That the Clerk return said bill to the Senate.

A message from the Senate was received and read informing of concurrence in the passage of the following bills:

"An act to exempt the town of Guilford, Chenango county, from the provisions and operations of chapter 175 of the Laws of 1870, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties.'"

"An act to regulate the examinations and reports of fire, and fire and inland navigation insurance companies."

"An act to provide for the appointment of additional notaries public."

*Ordered*, That the Clerk deliver said bills to the Governor.

Mr. Speaker presented a communication from the Chamber of Commerce of the city of New York in reference to Assembly bill No. 336, and recommending the same; which was read and referred to the committee on commerce and navigation.

Also, relative to the bill now before the Assembly in reference to the water front of the city of New York.

On motion of Mr. Husted said communication was referred to the committee of the whole.

Mr. Titus, from the sub-committee of the whole, called from the table a report in words following:

*Report of the sub-committee of the whole.*

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 365, printed No. 338, entitled "An act to regulate voting in the Western New York Agricultural Society," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill not printed, Int. No. 916, entitled "An act to extend the time for the collection of taxes in the county of Richmond," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 360, printed No. 334, entitled "An act to authorize Henry Fordham and George W. Tuttle to establish, maintain and operate a ferry across the Great South bay, in Suffolk county," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 529, printed No. 474, entitled "An act to amend chapter 59 of the Laws of 1861, entitled 'An act to amend the charter of the Poughkeepsie and New Paltz Ferry Company,' passed

March 19, 1861," reported in favor of the passage of the same, with an amendment as follows :

Section 1, line 6, after the word "ferry," insert "by means of vessels propelled by steam power."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 153, printed No. 144, entitled "An act to amend section 2 of chapter 405 of the Laws of 1879, entitled 'An act to amend sections 2 and 10 of chapter 248 of the Laws of 1878, entitled 'An act in relation to the election of officers in certain school districts,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 411, printed No. 377, entitled "An act to amend chapter 534 of Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,'" reported in favor of the passage of the same, with amendments as follows :

Section 2, line 13, strike out the words "and bays adjacent thereto."

Section 4 strike out the entire section ; make section 5, section 4.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 479, printed No. 27, entitled "An act to exempt the county of Orange from the provisions and requirements of chapter 280 of the Laws of 1845, entitled 'An act for the publication of the Session Laws in two newspapers in each county of this State,' and of the several acts amendatory thereof," reported in favor of striking out the title of the bill.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 305, printed No. 282, entitled "An act to legalize the official acts and proceedings of John Bradley Bliven, a justice of the peace of Chenango county," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 389, printed No. 360, entitled "An act conferring additional powers upon the trustees of the village of Le Roy," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 513, printed No. 461, entitled "An act to amend chapter 161 of the Laws of 1872, entitled 'An act for the protection of tax payers against the frauds, embezzlements and wrongful acts of public officers and agents,'" as amended by chapter 526 of the Laws of 1879, reported in favor of the passage of the same, with amendments as follows :

Section 1, line 1, strike out the words "one hundred and sixty-one" and insert "five hundred and twenty-six;" line 2, strike out "seventy-two" and insert "seventy-nine;" line 4, after the word "agents," strike out all down to and including the word "seventy-nine," in line 5.

To add at the beginning of section 2 the following :

Sec. 2. "Section 2 of said act is hereby amended so as to read as follows :"

Also to amend the title so that it will read :

"An act to amend chapter 526 of the Laws of 1879, entitled 'An act to amend chapter 161 of the Laws of 1872, entitled 'An act for

the protection of tax payers against the frauds, embezzlements and wrongful acts of public officers and agents.'"

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 401, printed No. 869, entitled "An act in relation to the sheriff of the city and county of New York," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 376, printed No. 350, entitled "An act concerning the supply of pure and wholesome water for the city of New York," reported in favor of the passage of the same, with amendments as follows:

To add at the end of section 2 the following:

"And relative to the removal of the Murray hill reservoir."

To insert as section 7 as follows:

Sec. 7. "This act shall not affect any law providing for the removal of the Murray hill reservoir."

To change section "7" to section "8."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 488, printed No. 442, entitled "An act in relation to arrears of taxes in the city of New York, and to provide for the reissuing of revenue bonds in anticipation of such taxes," reported in favor of the passage of the same, with amendments as follows:

To strike out all after the enacting clause and insert as follows:

Section 1. At any time after the passage of this act, and before the first day of October, 1880, any person may pay to the comptroller of the city of New York the amount of any tax upon real property belonging to such person, hereafter laid or imposed and now remaining unpaid, together with interest thereon at the rate of 7 per cent per annum, to be calculated from the time that such tax was imposed to the time of such payment; provided, also, that the time when such payment may be made on the amount of any such tax laid or imposed in the years 1877, 1878, and 1879, shall extend to the first day of April, 1881. The comptroller shall make and deliver to the person making any such payment a receipt therefor, and shall forthwith cancel the record of any such tax on the books of the finance department, and upon such payment being made, such tax shall cease to be a lien upon the property, and shall be deemed fully paid, satisfied and discharged, and there shall be no right to any further interest or penalty by reason of such tax not having been paid within the time heretofore required by law, or by reason of any statute passed requiring the payment heretofore of any penalty or interest over 7 per cent per annum upon any unpaid tax.

Sec. 2. Any revenue bonds heretofore issued in anticipation of the taxes in the first section specified, which may fall due and become payable before said taxes are collected, may be reissued by the comptroller of said city, in whole or in part, for such period as he may determine, not exceeding one year.

Sec. 3. This act shall take effect immediately.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 471, printed No. 428, entitled "An act to amend an act entitled 'An act to incorporate the village of Cox-sackie,' passed April 5, 1867," reported in favor of the passage of the same, with an amendment as follows:

To amend the title so that it will read as follows:

"An act to amend chapter 260 of the Laws of 1867, entitled 'An act to incorporate the village of Coxsackie.'"

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 468, printed No. 426, entitled "An act to authorize the lighting of public streets and avenues in the town of Westchester, in the county of Westchester," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 403, printed No. 371, entitled "An act to amend chapter 271 of the Laws of 1834, entitled 'An act for establishing a justices' court in the city of Troy,' passed May 5, 1834, and the several acts amendatory thereof and supplemental thereto, and also to amend chapter 56 of the Laws of 1848, entitled 'An act to provide for the election of the justices and the clerk of the justices' court in and for the city of Troy, and the appointment of a marshal,' passed February 28, 1848, and the several acts amendatory thereof and supplemental thereto, and also to amend chapter 18 of the Laws of 1876, entitled 'An act in relation to the police court and justices' court of the city of Troy,' passed February 11, 1876," reported in favor of the passage of the same, with an amendment as follows:

Section 2, strike out all after the word "Troy" in the sixth line, down to and including the word "court" in the eighth line.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 190, printed No. 175, entitled "An act to amend chapter 520 of the Laws of 1865, entitled 'An act to amend title 1 of chapter 16 of the first part of the Revised Statutes, in regard to roads and bridges and the appointment of overseers of highways,'" reported in favor of the passage of the same, with an amendment as follows:

Section 1. After the word "highways," in the fourth line, insert "is hereby amended so as to read as follows:"

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 276, printed No. 256, entitled "An act to incorporate the National Tent of the National Order of Rechabites," reported in favor of the passage of the same, with amendments as follows:

Section 1. Line 1, strike out "E." and insert "Elias;" line 3, strike out "Richard P. Vrooman" and insert "William W. Baldwin;" line 5, strike out "T. W. Read" and insert "William V. Smith."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 484, printed No. 438, entitled "An act for the relief of Young Men's Hebrew Association of Harlem," reported in favor of the passage of the same, with amendments as follows:

To strike out all after the enacting clause and insert the following:

Section 1. The act chapter 836 of the Laws of 1872, entitled 'An act to regulate places of public amusement in the city of New York,' is hereby amended by making a new section to be numbered and to read as follows:

Section 11. The provisions and requirements of chapter 836 of the Laws of 1872, entitled "An act to regulate places of public amusement in the city of New York shall not be held to apply to Young Men's Hebrew Association of Harlem, or to the directors or officers of said association as such, with respect to any building, not more

than one, which shall, in whole or in part, be owned or leased by said association, while so owned or leased, so long as the revenue thereof shall continue to be applied to the support of said association, and to the religious, charitable, social, educational or literary purposes of said association."

Sec. 2. This act shall take effect immediately.

Also to amend the title so that it will read as follows:

"An act supplementary to chapter 836 of the Laws of 1872, entitled 'An act to regulate places of public amusement in the city of New York.'"

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 294, printed No. 272, entitled "An act to provide for the dissolution of union free school districts in certain cases," reported in favor of the passage of the same, with amendments as follows:

Section 1, line 3, strike out the words "a majority of the legal voters," and insert "fifteen resident tax payers."

Section 2, strike out all down to and including the word "district" in the fourth line, and insert:

Sec. 2. Whenever at any such meeting called and held as aforesaid, it shall be determined by a majority vote of the legal voters present and voting, to be ascertained by taking and recording the ayes and noes, not to dissolve such union free school district, no other meeting for a similar purpose shall be held in said district within three years from the time the first meeting was held, and whenever, at any such meeting called and held as aforesaid, it shall be determined by a two-thirds vote of the legal voters present and voting, to be ascertained by taking and recording the ayes and noes, to dissolve such union free school district.

Section 8, line 4, strike out "one year," and insert "three years."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill, G. O. 211, printed No. 194, entitled "An act to repeal section 3 of chapter 683 of the Laws of 1873, entitled 'An act to provide for the extension of the New York, Kingston and Syracuse railroad,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 534, printed No. 479, entitled "An act to authorize the Comptroller to admit the unpaid taxes of the year 1879, assessed upon lands in the several counties of the State, which were bid in by the State at the tax sale of 1877, and to which the State acquired title from said tax sale," reported in favor of the passage of the same, with an amendment as follows:

Section 1. Strike out all after the word "State," in line 7, and insert:

"All taxes, which may remain unpaid thereon on the books of the comptroller's office, shall be paid by such purchaser before any patent shall be issued therefor."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 431, printed No. 395, entitled "An act to legalize the official acts of the supervisor of the town of Eden, Erie county, performed instead of commissioners, provided for by chapter 907 of the Laws of 1869," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 180, printed No. 169, entitled "An act in relation to runners or solicitors of passengers or patronage for steamers, steamboats, ships, vessels, hotels, railroads or transportation companies in the city of New York," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 177, printed No. 164, entitled "An act in relation to the keeping open of the offices of the register, county clerk and county treasurer of the county of Westchester," reported in favor of the passage of the same, without amendment.

Mr. Titus moved to refer Assembly bill No. 27, G. O. 479, entitled "An act to exempt the county of Orange from the provisions and requirements of chapter 280 of the Laws of 1845, entitled 'An act for the publication of the Session Laws in two newspapers in each county of this State,' and of the several acts amendatory thereof," back to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the remainder of said report, and it was determined in the affirmative.

*Ordered*, That said bills be engrossed for a third reading.

The Speaker and Clerk, by direction of the House, selected the following bills for reference to the sub-committee of the whole:

No. 162, Int. 398, G. O. 175, Mr. Hoffman: "An act in relation to the equalization of taxes and assessments in the county of Chemung, passed —, 1880," three-fifths being present.

No. 176, Int. 203, G. O. 191, Mr. Cookinham: "An act for the relief of Theodore P. Ballou."

No. 217, Int. 126, G. O. 234, Mr. Cookinham: "An act in relation to uncollected taxes in the several towns and wards in this State."

No. 218, Int. 128, G. O. 235, Mr. Cookinham: "An act to amend chapter 446, Laws of 1879, entitled 'An act to amend chapter 361, Laws of 1867, entitled 'An act authorizing supplementary proceedings for the collection of taxes.'"

No. 221, Int. 513, G. O. 238, Mr. J. L. Wells: "An act to amend an act entitled 'An act authorizing the incorporation of rural cemetery associations,' passed April 27, 1847, and the acts amendatory thereof.

No. 225, Int. 421, G. O. 242, Mr. Slingerland: "An act to permit and authorize the city of Albany to issue the bonds of said city for the payment of the expense of draining, grading, forming, paving and flagging a portion of South Pearl street in the city of Albany, and to extend the time of payment of the assessments therefor."

No. 227, Int. 407, G. O. 244, Mr. Slingerland: "An act to further amend section 2 of chapter 139 of the Laws of 1870, as amended by chapter 402 of the Laws of 1877, entitled "An act to annex parts of the towns of Bethlehem and Watervliet, in the county of Albany, to the city of Albany, and to exempt such parts thereof from certain taxes and to annex a part of the city of Albany to the town of Watervliet."

No. 228, Int. 353, G. O. 245, Mr. Clowes: "An act to provide for the improvement of Steinway avenue, in Long Island City."



No. 269, Int. 526, G. O. 291, Mr. Sipp: "An act to amend chapter 461 of the Laws of 1867, entitled 'An act for the support and relief of the poor and for the government of the poor department in the county of Erie,' passed April 19, 1867."

No. 292, Int. 583, G. O. 315, Mr. Sipp: "An act to amend chapter 77 of the Laws of 1846, entitled 'An act to provide for the erection and establishment of a workhouse in the county of Erie.'". •

No. 297, Int. 397, G. O. 320, Mr. Weston: "An act to establish a special road district and to appropriate the highway taxes on the non-resident lands therein, for the construction of road from Blood's hotel, in Harrietstown, Franklin county, to Tupper's lake, in the county of Franklin."

No. 310, Int. 630, G. O. 335, Mr. Clowes: "An act relating to certain streets and avenues in Astoria, Long Island City."

No. 311, Int. 375, G. O. 336, Mr. Clowes: "An act to reduce the width of Riker avenue, in Long Island City, in the county of Queens, from 130 feet to 80 feet."

No. 348, Int. 551, G. O. 374, Mr. Ash: "An act to provide for the collection of unpaid city taxes and local assessments in the city of Buffalo."

No. 363, Int. 509, G. O. 392, Mr. Comstock: "An act to transfer the town of Berlin, from the first to the second, and the town of Brunswick from the second to the first school commissioner district of the county of Rensselaer."

No. 374, Int. 672, G. O. 408, Mr. Lefever: "An act to vest certain powers in 'The Kingston Board of Education,' and to facilitate the collection of taxes in the Kingston school district."

No. 382, Int. 622, G. O. 417, Mr. Gillette: "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors.'"

No. 383, Int. 678, G. O. 418, Mr. Sanders: "An act to amend chapter 5, title 2, part 2 of the Revised Statutes of the State of New York."

No. 386, Int. 704, G. O. 421, Mr. Cookinham: "An act to reduce and fix the rate of interest on bonds and mortgages held by the commissioners of the United States Deposit Fund in the several counties of the State."

No. 387, Int. 603, G. O. 422, Mr. T. E. Benedict: "An act in relation to the valuation of the property of the president, managers, and company of the Delaware and Hudson Canal Company in school districts, for the purpose of taxation."

No. 388, Int. 730, G. O. 423, Mr. Havens: "An act to amend chapter 265 of the Laws of 1848, entitled 'An act to provide for the incorporation and regulation of telegraph companies.'"

No. 389, Int. 726, G. O. 424, Mr. Havens: "An act to amend chapter 611 of the Laws of 1875, entitled 'An act to provide for the organization and regulation of certain business corporations.'"

No. 422, Int. 659, G. O. 463, Mr. Clowes: "An act relating to the assessment and collection of taxes in Long Island City, Queens county."

No. 469, Int. 474, G. O. 523, Mr. Clowes: "An act to amend chapter 410 of the Laws of 1878, entitled 'An act to improve Flushing avenue, Long Island City.'"

No. 471, Int. 747, G. O. 525, Mr. Sharpe: "An act entitled 'An act to fix and regulate the rates of toll on the Overlook Turnpike Company, in the counties of Ulster and Greene.'"

No. 477, Int. 722, G. O. 532, Mr. Young: "An act to provide for the honorable discharge of certain members of the national guard."

No. 487, Int. 694, G. O. 543, Mr. Russell: "An act to authorize deeds for burial lots in rural cemeteries to be recorded in any county in which any part of said cemeteries may be located."

No. 495, Int. 834, G. O. 562, Mr. T. E. Benedict: "An act to further amend an act entitled 'An act to amend chapter 65 of the Laws of 1878, relating to the collection of taxes in the counties of Livingston, Montgomery, Oswego, Ulster and Ontario,' and amended by chapter 200 of the Laws of 1879."

No. 500, Int. 696, G. O. 567, Mr. Steele: "An act to amend chapter 369 of the Laws of 1868, entitled 'An act to amend the act incorporating the village of Phoenix, in the county of Oswego.'"

No. 503, Int. 746, G. O. 574, Mr. Case: "An act to amend chapter 555, Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,' passed May 2, 1864, three-fifths being present."

No. 506, Int. 618, G. O. 577, Mr. D. A. Wells: "An act to legalize and confirm the official acts of William J. Robb, a justice of the peace of the town of Perth, in the county of Fulton, New York."

No. 507, Int. 650, G. O. 580, Mr. Morgan: "An act to suppress tippling and the drink trade in the county of Allegany."

No. 508, Int. 791, G. O. 581, Mr. Potter: "An act entitled an act in relation to the duties of supervisor for the town of Saratoga Springs."

No. 509, Int. 714, G. O. 583, Mr. Low: "An act to prevent fishing with nets in a part of the waters of Lake Ontario."

No. 516, Int. 859, G. O. 591, Mr. O'Brien: "An act permitting the common council of the city of Buffalo in its discretion to allow or disallow, in whole or in part, any claim or claims in abating certain nuisances by direction of the board of health of the city of Buffalo in the years 1877 and 1878."

No. 519, Int. 724, G. O. 594, Mr. Pitcher: "An act to amend chapter 360 of the Laws of 1867, entitled 'An act to amend and consolidate the several acts in relation to the village of Rhinebeck,' passed February 2, 1867."

No. 522, Int. 881, G. O. 613, Mr. Bradley: "An act to prevent malicious annoyance."

No. 525, Int. 90, G. O. 598, Mr. Sheridan: "An act to repress and punish disorderly conduct on public conveyances."

No. 528, Int. 448, G. O. 601, Mr. Cohen: "An act to legalize the official acts of Charles I. Schampain as a notary public for the county of New York."

No. 533, Int. 89, G. O. 605, Mr. Lindsay: "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors.'"

No. 534, Int. 50, G. O. 606, Mr. Travis: "An act to amend chapter 50 of the Laws of 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical, or chemical purposes.'"

No. 541, Int. 902, G. O. 616, Mr. Potter: "An act in relation to the bonded indebtedness of the town of Saratoga, in the county of Saratoga."

No. 543, Int. 851, G. O. 618, Mr. J. L. Wells: "An act to provide for the proper drainage of lands in the city of New York."

No. 544, Int. 572, G. O. 619, Mr. Sheridan: "An act to prevent interference with owners and captains of steamers engaged in the towing business."

No. 545, Int. 801, G. O. 620, Mr. Rhodes: "An act to compel the maintenance of certain lights on draw bridges across the Hudson river."

No. 549, Int. 806, G. O. 625, Mr. Lefever: "An act for the relief of the Union Plank Road Company."

No. 551, Int. 464, G. O. 627, Mr. Dean: "An act to amend chapter 319 of the Laws of 1848, entitled 'An act for the incorporation of benevolent, charitable, scientific and missionary societies.'"

Senate No. 185, Int. 117, G. O. 631, Mr. Birdsall: "An act further to amend chapter 386 of the Laws of 1865, entitled 'An act for the incorporation of societies or clubs for certain social and recreative purposes.'"

Senate No. 76, Int. 47, G. O. 693, Mr. Seebacher: "An act in relation to the port and harbor of New York and the waters near the same."

Senate No. 35, Int. 29, G. O. 332, Mr. Forster: "An act to prohibit the construction of buildings, of wood or other combustible materials, in a certain portion of the city of New York."

Senate No. 32, Int. 30, G. O. 290, Mr. Forster: "An act in relation to the payment of assessments for local improvements in the city of New York."

Mr. Wiley moved that the bill entitled "An act for the relief of Bridget Gray, of the city of Albany, widow of Samuel Gray, late of the city of Albany, county of Albany, and State of New York," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Pursuant to ninth joint rule, Mr. Speaker announced order of business, third reading of bills.

The bill entitled "An act relating to referees, receivers, auditors and other officers appointed by the court, within the counties of New York and Kings," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 69 }  
{ NOES 20 }

Those who voted in the affirmative, were

Andrews	Deane	Lindsay	Sherman
Baker, B. F.	Douglass	Low	Shuit
Baker, C. S.	Duell	McCabe	Sisson
Beach	Evans	Miller	Skinner
Beates	Ferris	Mitchell	Steele
Benedict, E. D.	Fish	Mooers	Titus
Benedict, T. E.	Gillette	Morgan	Tozier
Bridges	Gorsline	Nowlan	Travis

Carpenter, I. S.	Griggs	O'Brien	Tuthill, H. H.
Case	Grosse	Peck	Tuttle, R. M.
Catlin	Hayes	Phillips	Van Valkenburgh
Chamberlain	Howland	Pitcher	Warner
Chase	Hurd	Potter	Waterbury
Chickering	Husted	Potts	Wells, D. A.
Childs	Ingersoll	Root	Wells, J. L.
Clark	Lefever	Sanders	Wren
Comstock	Liddle	Seeley	Mr. Speaker
Cullinan			

Those who voted in the negative, were

Alvord	Dougherty	Rhodes	Terpeny
Bennett	Gray	Shanley	Treanor
Brennan	Havens	Sheridan	Tully
Brodsky	McAvoy	Strait	Walsh
Curtis	Newman	Tallmadge	Wiley

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 66 }  
{ NOES 11 }

Those who voted in the affirmative, were

Alvord	Clark	Husted	Seeley
Andrews	Comstock	Ingersoll	Shanley
Baker, B. F.	Cullinan	Lefever	Sheridan
Baker, C. S.	Curtis	Liddle	Sherman
Beach	Deane	Lindsay	Sisson
Beates	Douglass	Low	Steele
Benedict, E. D.	Duell	McAvoy	Terpeny
Benedict, T. E.	Evans	Miller	Titus
Bennett	Ferris	Mitchell	Tully
Brennan	Fish	Morgan	Tuthill, H. H.
Brodsky	Gorsline	Nowlan	Tuttle, R. M.
Carpenter, I. S.	Gray	Phillips	Van Valkenburgh
Case	Griggs	Potter	Walsh
Catlin	Grosse	Rhodes	Wells, J. L.
Chamberlain	Hayes	Root	Wiley
Chase	Howland	Russell	Wren
Chickering	Hurd		

Those who voted in the negative, were

Bridges	Peck	Skinner	Warner
Childs	Potts	Slingerland	Waterbury
McCabe	Shuit	Tozier	

Mr. Husted moved to reconsider the vote by which said bill was passed, and that the motion lay upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill entitled "An act for the division of the town of Tompkins

in the county of Delaware, and for the erection of a new town from the western portion thereof," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 73 }  
{ NOES 4 }

Those who voted in the affirmative, were

Alvord	Deane	Mitchell	Skinner
Andrews	Dougherty	Mooers	Steele
Baker, B. F.	Douglass	Morgan	Terpeny
Baker, C. S.	Duell	Peck	Thilemann
Beach	Ellis	Phillips	Titus
Beates	Evans	Pitcher	Tozier
Benedict, T. E.	Gorsline	Potter	Travis
Bennett	Gray	Potts	Tully
Brennan	Griggs	Rhodes	Tuthill, H. H.
Brodsky	Grosse	Root	Tuttle, R. M.
Carpenter, I. S.	Hayes	Russell	Van Valkenburgh
Case	Ingersoll	Sanders	Warner
Catlin	Kennedy	Seeley	Waterbury
Chamberlain	Lefever	Shanley	Wells, D. A.
Chase	Liddle	Sheridan	Wells, J. L.
Chickering	Lindsay	Sherman	Wiley
Childs	McCabe	Shuit	Wren
Clark	McCarthy	Sisson	Mr. Speaker
Curtis			

Those who voted in the negative, were

Bridges	McAvoy	Miller	Walsh
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*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to incorporate the board of trustees of the fire department of the city of Troy," being announced for a third reading, on motion of Mr. Rhodes, and, by unanimous consent, said bill was amended in the words following:

Section 1, line 2, by striking out first "and," and after words "ladder company" insert "and hose company."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Deane	McAvoy	Sisson
Andrews	Douglass	McCabe	Skinner
Baker, B. F.	Duell	Mitchell	Slingerland
Baker, C. S.	Ellis	Mooers	Steele
Beach	Evans	Morgan	Strait
Beates	Ferris	Newman	Thilemann
Benedict, E. D.	Fiske	Nowlan	Titus
Benedict, T. E.	Gorsline	Peck	Tozier

Bennett	Gray	Phillips	Travis
Brennan	Griggs	Pitcher	Treanor
Bridges	Grosse	Potter	Tuthill, H. H.
Brodskey	Havens	Potts	Tuttle, R. M.
Carpenter, I. S.	Hayes	Rhodes	Van Valkenburgh
Case	Howland	Root	Walsh
Catlin	Hurd	Sanders	Warner
Chase	Ingersoll	Seeley	Waterbury
Chickering	Kennedy	Shanley	Wells, D. A.
Childs	Lefever	Sheridan	Wells, J. L.
Clark	Liddle	Sherman	Wiley
Curtis	Lindsay	Shuit	Wren

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the preservation of fish in the waters of Loon lake in the county of Steuben," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 78 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Cullinan	Lindsay	Shuit
Andrews	Deane	McAvoy	Sisson
Baker, B. F.	Dougherty	McCabe	Skinner
Baker, C. S.	Douglass	McCarthy	Slingerland
Beach	Duell	Miller	Steele
Beates	Ellis	Mitchell	Strait
Benedict, E. D.	Evans	Mooers	Thilemann
Benedict, T. E.	Fish	Newman	Titus
Bennett	Gillette	Nowlan	Tozier
Brennan	Gorsline	Peck	Travis
Bridges	Gray	Phillips	Treanor
Brodskey	Griggs	Pitcher	Tully
Bullock	Grosse	Potter	Tuthill, H. H.
Carpenter, I. S.	Hagan	Potts	Tuttle, R. M.
Case	Hayes	Rhodes	Warner
Catlin	Hurd	Root	Waterbury
Chamberlain	Husted	Russell	Wells, D. A.
Chase	Ingersoll	Shanley	Wiley
Chickering	Lefever	Sheridan	Wren
Childs	Liddle		

Those who voted in the negative, were

Howland

The bill entitled "An act requiring certain bonds and undertakings to be recorded," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 60 }

Those who voted in the affirmative, were

Alvord	Curtis	McAvoy	Sisson
Andrews	Deane	McCabe	Skinner

Baker, B. F.	Dougherty	McCarthy	Slingerland
Baker, C. S.	Douglass	Miller	Strait
Beach	Duell	Mitchell	Tallmadge
Beates	Ellis	Mooers	Terpeny
Benedict, E. D.	Gillette	Nowlan	Thileman
Benedict, T. E.	Gorsline	Peck	Titus
Bennett	Gray	Phillips	Tozier
Brennan	Griggs	Pitcher	Travis
Bridges	Grosse	Potter	Tully
Brodsky	Hagan	Potts	Tuthill, H. H.
Bullock	Hayes	Rhodes	Tuttle, R. M.
Carpenter, I. S.	Howland	Root	Van Valkenburgh
Case	Hurd	Russell	Warner
Catlin	Ingersoll	Sanders	Waterbury
Chamberlain	Kennedy	Seeley	Wells, D. A.
Chase	Lefever	Shanley	Wells, J. L.
Chickering	Liddle	Sheridan	Wiley
Childs	Lindsay	Sherman	Wren
Cullinan	Low	Shuit	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Thileman introduced a bill entitled "An act to facilitate the removal of stable manure from the built-up portion of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The bill entitled "An act to amend chapter 403 of the Laws of 1879, entitled "An act to prevent certain abuses upon the canals of this State," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative.

{ AYES 81 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Deane	McAvoy	Shuit
Baker, B. F.	Douglass	McCabe	Sisson
Baker, C. S.	Duell	McCarthy	Skinner
Beach	Ellis	Miller	Slingerland
Beates	Ferris	Mitchell	Steele
Benedict, E. D.	Fish	Mooers	Strait
Benedict, T. E.	Gillette	Morgan	Tallmadge
Bennett	Gorsline	Newman	Terpeny
Bridges	Gray	Nowlan	Tozier
Brodsky	Griggs	O'Brien	Travis
Bullock	Grosse	Peck	Tully
Carpenter, I. S.	Hagan	Pitcher	Tuthill, H. H.
Case	Hayes	Potts	Tuttle, R. M.
Catlin	Hurd	Rhodes	Van Valkenburgh
Chamberlain	Husted	Root	Walsh
Chase	Ingersoll	Russell	Warner
Chickering	Lefever	Seeley	Waterbury
Childs	Liddle	Shanley	Wells, D. A.
Clark	Lindsay	Sheridan	Wiley
Cullinan	Low	Sherman	Wren
Curtis			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Potter offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 550, entitled "An act to amend an act to provide for keeping in repair the highway leading from Sacandaga river to Mount Pleasant, passed April 12, 1862," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Senate bill entitled "An act to amend chapter 267 of the Laws of 1875, entitled 'An act for the incorporation of societies or clubs for certain lawful purposes,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	McAvoy	Sisson
Andrews	Curtis	McCabe	Skinner
Baker, B. F.	Deane	McCarthy	Slingerland
Baker, C. S.	Dougherty	Miller	Steele
Beach	Douglass	Mitchell	Strait
Beates	Duell	Mooers	Tallmadge
Benedict, E. D.	Ellis	Morgan	Terpeny
Benedict, T. E.	Evans	Newman	Titus
Bennett	Ferris	Nowlan	Tozier
Brennan	Fish	O'Brien	Travis
Bridges	Gillette	Peck	Treanor
Brodsky	Gorsline	Phillips	Tully
Bullock	Gray	Potter	Tuttle, R. M.
Carpenter, I. S.	Griggs	Potts	Van Valkenburgh
Case	Grosse	Rhodes	Warner
Oatlin	Hayes	Root	Waterbury
Chase	Husted	Russell	Wells, D. A.
Chickering	Ingersoll	Seeley	Wells, J. L.
Childs	Lefever	Sheridan	Wiley
Clark	Liddle	Sherman	Wren
Clowes	Lindsay		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence therein.

The bill entitled "An act in relation to leases by railroad corporations," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, three-fifths of all the members elected to the Assembly not voting in favor thereof.

{ AYES 73 }  
{ NOES 1 }

Those who voted in the affirmative, were

Baker, B. F.	Curtis	Liddle	Shuit
Baker, C. S.	Deane	Lindsay	Sisson



Beach	Douglass	Low	Skinner
Beates	Duell	McAvoy	Slingerland
Benedict, E. D.	Ellis	McCabe	Tallmadge
Benedict, T. E.	Evans	Mitchell	Terpeny
Brennan	Ferris	Morgan	Thilemann
Bridges	Fish	Newman	Titus
Broday	Gorsline	Nowlan	Tozier
Bullock	Griggs	Peck	Treanor
Carpenter, I. S.	Grosse	Pitcher	Tully
Case	Hagan	Potter	Tuthill, H. H.
Catlin	Hayes	Potts	Tuttle, R. M.
Chamberlain	Howland	Root	Van Valkenburgh
Chase	Hurd	Seeley	Warner
Chickering	Husted	Shanley	Wells, J. L.
Childs	Ingersoll	Sheridan	Wiley
Clark	Lefever	Sherman	Wren
Cullinan			

Those who voted in the negative, were

Travis

Mr. O. S. Baker moved to reconsider the vote by which said bill was lost, and that the motion lay upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Senate bill entitled "An act to authorize the State Comptroller to issue revenue bonds in anticipation of the State tax, for expenses of government," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	McAvoy	Sherman
Andrews	Dougherty	McCabe	Shuit
Baker, B. F.	Douglass	McCarthy	Sisson
Baker, C. S.	Duell	Mitchell	Skinner
Beach	Ferris	Moors	Slingerland
Beates	Fish	Morgan	Steele
Benedict, E. D.	Gillette	Newman	Strait
Benedict, T. E.	Gorsline	Nowlan	Tallmadge
Bennett	Gray	Peck	Terpeny
Brennan	Griggs	Phillips	Titus
Bridges	Grosse	Pitcher	Tozier
Brodsky	Hagan	Potter	Travis
Bullock	Hayes	Potts	Van Valkenburgh
Carpenter, I. S.	Howland	Rhodes	Walsh
Case	Hurd	Root	Warner
Chamberlain	Husted	Russell	Waterbury
Chase	Ingersoll	Sanders	Wells, D. A.
Chickering	Lefever	Seeley	Wells, J. L.
Childs	Liddle	Shanley	Wiley
Clark	Lindsay	Sheridan	Wren
Cullinan	Low		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act extending the provisions and benefits of the mechanics' lien laws to excavations, dredging or substructure for wharves, piers, or slips between such wharves or piers, and to the construction, deepening or improvement of any water-course, channel or basin," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Deane	McAvoy	Skinner
Andrews	Dougherty	McCarthy	Slingerland
Baker, B. F.	Duell	Miller	Steele
Baker, C. S.	Ellis	Mitchell	Strait
Beach	Evans	Mooers	Tallmadge
Beates	Ferris	Morgan	Titus
Benedict, E. D.	Fish	Newman	Tozier
Benedict, T. E.	Gillette	Nowlan	Travis
Brennan	Gorsline	Phillips	Treanor
Bridges	Griggs	Pitcher	Tully
Brodsky	Hagan	Potter	Tuthill, H. H.
Bullock	Hayes	Potts	Tuttle, R. M.
Carpenter, I. S.	Howland	Rhodes	Van Valkenburgh
Case	Hurd	Root	Walsh
Catlin	Husted	Russell	Warner
Chamberlain	Ingersoll	Seeley	Waterbury
Chase	Lefever	Shanley	Wells, D. A.
Chickering	Liddle	Sheridan	Wells, J. L.
Childs	Lindsay	Shuit	Wiley
Clark	Low	Sisson	Wren
Cullinan			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to transfer to Cornell University the securities, moneys and contracts constituting and relating to the Cornell Endowment Fund," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 81 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Low	Sisson
Andrews	Deane	McAvoy	Skinner
Baker, B. F.	Dougherty	Miller	Slingerland
Baker, C. S.	Douglass	Mitchell	Steele
Beach	Duell	Mooers	Strait
Beates	Ellis	Morgan	Tallmadge
Benedict, E. D.	Evans	Newman	Titus
Benedict, T. E.	Fish	Nowlan	Tozier
Bennett	Gillette	Phillips	Travis
Brennan	Gorsline	Pitcher	Treanor
Bridges	Gray	Potter	Tully

Brodsky	Griggs	Potts	Tuthill, H. H.
Bullock	Hayes	Rhodes	Tuttle, R. M.
Carpenter, I. S.	Howland	Root	Van Valkenburgh
Case	Hurd	Russell	Walsh
Chamberlain	Husted	Seeley	Warner
Chase	Ingersoll	Shanley	Wells, D. A.
Chickering	Lefever	Sheridan	Wells, J. L.
Childs	Liddle	Sherman	Wiley
Clark	Lindsay	Shuit	Wren

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act relative to the care of animals," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Cullinan	Ingersoll	Sherman
Andrews	Curtis	Lefever	Shuit
Baker, B. F.	Deane	Liddle	Sisson
Baker, C. S.	Douglass	Lindsay	Skinner
Beach	Duell	Low	Steele
Beates	Ellis	Miller	Strait
Benedict, E. D.	Evans	Mitchell	Tallmadge
Benedict, T. E.	Ferris	Moors	Titus
Brennan	Fish	Morgan	Tozier
Bridges	Gillette	Newman	Treanor
Brodsky	Gorsaline	Nowlan	Tully
Bullock	Gray	Phillips	Tuthill, H. H.
Carpenter, I. S.	Griggs	Potter	Tuttle, R. M.
Case	Grosse	Potts	Van Valkenburgh
Catlin	Hagan	Root	Warner
Chamberlain	Havens	Russell	Waterbury
Chase	Hayes	Seeley	Wells, D. A.
Chickering	Howland	Shanley	Wells, J. L.
Childs	Hurd	Sheridan	Wren
Clark	Husted		

Those who voted in the negative, were

Dougherty, Pitcher

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Duell introduced a bill entitled "An act in relation to the marine court of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Brodsky introduced a bill entitled "An act to amend chapter 413 of the Laws of 1877, entitled 'An act to prevent frequent changes of text-books in schools,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Pitcher introduced a bill entitled "An act to amend chapter 497 of the Laws of 1874, entitled 'An act to amend the charter of

the city of Poughkeepsie, and to consolidate with it other acts relating to said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. McAvoy introduced a bill entitled "An act to alter the map or plan of the city of New York by widening a portion of 130th street," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Gillette introduced a bill entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Also the bill entitled "An act in relation to the public schools in the city of Hudson," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Brennan introduced a bill entitled "An act to establish a separate road district, and to appropriate the highway taxes on the lands of non-residents therein, for the construction of a highway from Keese's mills in the town of Brighton, Franklin county, to Chauncy Merrill's hotel in the town of Dickinson in said county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Also the bill entitled "An act to amend section 1 of chapter 453 of the Laws of 1870, entitled 'An act to incorporate the village of Chateaugay in the county of Franklin,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Gillette introduced a bill entitled "An act authorizing the exemption from local taxation of the property of persons, corporations and joint-stock companies about to establish a business of manufacturing in any city of this State having a population of less than 300,000 inhabitants according to the last census, or in any incorporated village, or in any town of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Dougherty introduced a bill entitled "An act for the relief of Julius Frankel," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Hayes introduced a bill entitled "An act to regulate and define the duties of pawnbrokers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Clark introduced a bill entitled "An act to amend an act entitled 'An act relating to the salaries of county judges and surrogates,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Brennan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Brennan (introductory No. 976), entitled "An act to authorize the Comptroller to compromise and

settle certain claims against the sureties of the New York and Erie Bank of Buffalo," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Tozier, from the committee on general laws, to which was referred the bill introduced by Mr. Alvord (introductory No. 958), entitled "An act to authorize the renewal of corporations whose corporate term has expired by limitation of time," reported said bill back to the House with a request that it be sent to the committee on the judiciary; which request was agreed to.

Mr. Tozier, from the committee on general laws, to which was referred the bill introduced by Mr. Lindsay (introductory No. 788), entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Tozier, from the committee on general laws, to which was referred the bill introduced by Mr. Speaker (introductory No. 942), entitled "An act to amend an act entitled 'An act to vest in the board of supervisors certain legislative powers, and to prescribe their fees for certain services,' passed April 9, 1849," reported in favor of the passage of the same with amendments, and the title amended so as to read as follows: "An act supplemental to chapter 194 of the Laws of 1849, entitled 'An act to vest in the board of supervisors certain legislative powers, and to prescribe their fees for certain services, and to repeal chapter 597 of the Laws of 1870 amendatory of said act,'" which report was agreed to and said bill committed to the committee of the whole.

Mr. Tozier, from the committee on general laws, to which was referred the Senate bill (introductory No. 244), entitled "An act to incorporate the 'Governor's Guard' of the city of New York," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Tozier, from the committee on general laws, to which was referred the Senate bill (introductory No. 342), entitled "An act to incorporate the Syracuse Electric Light Company," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Miller (introductory No. 962), entitled "An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Cookinham (introductory No. 950), entitled "An act to repeal chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was

referred the bill introduced by Mr. Chickering (introductory No. 368), entitled "An act to provide for the organization and formation of companies for the purpose of increasing the water supply of Deer river, in Lewis county, in aid of the milling and manufacturing interests thereof," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the Senate bill (introductory No. 125), entitled "An act to provide that the superintendent of the poor of the county of Columbia may be the keeper of the poor-house of said county, and to provide for his compensation," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. C. S. Baker offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee on insurance of the Assembly be and is hereby directed to procure, in addition to the information required by the resolution of Mr. Skinner, adopted on the 31st ultimo, the names of the insurance companies examined during the past five years, the nature of such examination, the result thereof, and under the authority of what Superintendent the investigation was ordered, commenced and finished.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Sheridan offered for the consideration of the House a resolution in the words following:

*Resolved*, That Senate bill No. 174, general orders No. 202, entitled "An act to repress and punish disorderly conduct on public conveyances," be substituted for Assembly bill No. 525, general orders No. 598, now in the sub-committee of the whole, and that the same be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker presented the One Hundred and Ninth Annual Report of the state of the New York Hospital and Bloomingdale Asylum for the year 1879, which was laid on the table and ordered printed.

(See Doc. No. 107.)

On motion of Mr. Alvord, and at 10 o'clock, the House adjourned.

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## TUESDAY MORNING, APRIL 6, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Baldwin, of Troy.

The journal of yesterday was read and approved.

Mr. Alvord moved that Senate bill No. 55, entitled "An act conferring jurisdiction on the Canal Appraisers to determine the amount of damages to which the Port Byron school district, in the town of Mentz, in the county of Cayuga, is entitled to by reason of certain

acts of this State," be made a special order for this afternoon immediately after the other special orders are disposed of.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. T. E. Benedict introduced a bill entitled "An act in relation to assessments for taxes in the village of Ellenville," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Potts introduced a bill entitled "An act to authorize the collector or receiver of taxes for the town of Liberty, in Sullivan county, to renew his bond and to extend his time for receiving and collecting the unpaid taxes in said town," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Potts, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 80 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Low	Skinner
Andrews	Deane	McAvoy	Slingerland
Baker, C. S.	Dougherty	McCabe	Steele
Beach	Douglass	McTernan	Strait
Benedict, T. E.	Duell	Miller	Tallmadge
Bennett	Ellis	Mooers	Terpeny
Bradley	Evans	Morgan	Terry
Brennan	Ferris	Newman	Titus
Bridges	Fish	Nowlan	Tozier
Brodsky	Fiske	Peck	Travis
Bullock	Gibbs	Potts	Treanor
Carpenter, I. S.	Gorsline	Rhodes	Tully
Oatlin	Gray	Roberts	Tuthill, H. H.
Chamberlain	Griggs	Root	Tuttle, R. M.
Chase	Hoffman	Russell	Varnum
Chickering	Howland	Seeley	Warner
Childs	Hurd	Sheridan	Waterbury
Cookinham	Lefever	Shuit	Wells, D. A.
Crapeer	Liddle	Sipp	Wren
Cullinan	Lindsay	Sisson	Mr. Speaker

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Bridges, from the committee on public printing, to which was referred the resolution to print extra copies of the Report of the Superintendent of State Prisons, reported in favor of the adoption of the following resolution:

*Resolved* (if the Senate concur), That 1,000 extra copies of the report of the Superintendent of State Prisons be printed and bound in cloth for the use of the Superintendent.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Bridges, from the committee on public printing, to which was referred the resolution to print extra copies of the Report of the Superintendent of State Prisons, relative to contract convict labor, reported in favor of the adoption of the following resolution :

*Resolved* (if the Senate concur), That 500 copies of the Report of the Superintendent of State Prisons, relative to contract convict labor, made pursuant to a resolution of the last Assembly, together with the accompanying documents, be printed for the use of the Superintendent.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. D. A. Wells (introductory No. 272), entitled "An act to enable the electors of the town of Mayfield, Fulton county, N. Y., to vote by districts for town officers," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. D. A. Wells (introductory No. 873), entitled "An act to amend an act entitled 'An act to enable the electors of the town of Johnstown to vote by districts for town officers,' passed March 21, 1862," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Mooers (introductory No. 559), entitled "An act in relation to the auditing of expenses for the support of the county poor, and the purchase of supplies in the county of Clinton," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Warner (introductory No. 936), entitled "An act to further amend chapter 380 of the Laws of 1852, entitled 'An act to incorporate the Canajoharie Water Works Company,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Potts (introductory No. 632), entitled "An act to regulate the sale of intoxicating liquors by druggists," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Sanders (introductory No. 698), entitled "An act to abolish the office of commissioner for bonding the town of Pavilion, in Genesee county, in aid of the Rochester and State Line Railroad Company, and devolving the duty of said officer on the supervisor of said town," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the Senate bill (introductory No. 153), entitled "An act authorizing board of town auditors to audit certain judgments against



commissioners of highways as town charges, and providing for the payment thereof," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Clark (introductory No. 888), entitled "An act to amend chapter 53 of the Laws of 1867, in relation to the salary of the district attorney of the county of Chautauqua," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. C. S. Baker moved to take from the table the motion to reconsider the vote by which the bill entitled "An act in relation to leases by railroad corporations," was lost.

Mr. Speaker put the question whether the House would agree to the motion to take from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Deane	McCabe	Sipp
Baker, C. S.	Dougherty	McTernan	Sisson
Beach	Douglass	Miller	Skinner
Benedict, T. E.	Duell	Moors	Slingerland
Bennett	Ellis	Morgan	Steele
Bradley	Evans	Newman	Strait
Brennan	Ferris	Nowlan	Tallmadge
Bridges	Fish	Peck	Terpeny
Brodsky	Fiske	Pitcher	Titus
Bullock	Gorsline	Potter	Tozier
Carpenter, I. S.	Gray	Potts	Treanor
Catlin	Griggs	Rhodes	Tully
Chamberlain	Hoffman	Roberts	Tuthill, H. H.
Chickering	Howland	Root	Tuttle, R. M.
Childs	Hurd	Russell	Varnum
Glancy	Lefever	Sanders	Warner
Cookinham	Liddle	Seeley	Waterbury
Crapser	Lindsay	Shanley	Wells, D. A.
Cullinan	Low	Sheridan	Wren
Curtis	McAvoy	Shuit	Mr. Speaker

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }  
{ NOES 00 }

Those who voted in the affirmative, were

Baker, C. S.	Dougherty	McCabe	Slingerland
Beach	Douglass	McTernan	Steele
Benedict, T. E.	Duell	Miller	Strait
Bradley	Duguid	Moors	Tallmadge

Brennan	Ellis	Morgan	Terpeny
Bridges	Ferris	Newman	Terry
Brodsky	Fish	Nowlan	Titus
Bullock	Fiske	O'Brien	Tozier
Carpenter, I. S.	Gorsline	Potts	Treanor
Catlin	Gray	Rhodes	Tully
Chamberlain	Griggs	Roberts	Tuthill, H. H.
Chase	Hoffman	Root	Tuttle, R. M.
Chickering	Howland	Russell	Varnum
Childs	Hurd	Seeley	Warner
Clancy	Lefever	Shanley	Waterbury
Cookinham	Liddle	Sheridan	Wells, J. L.
Crapser	Lindsay	Shuit	Wiley
Cullinan	Low	Sipp	Wren
Curtis	McAvoy	Skinner	Mr. Speaker
Deane			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Alvord in the chair.

Pursuant to the 9th joint rule, Mr. Speaker announced the order of business, third reading of bills.

The bill entitled "An act to facilitate the erection of new building by the New York Produce Exchange in the city of New York by authorizing the closing of Marketfield street, and the sale of a lot of land and building on Stone street in said city, the property of the mayor, aldermen and commonalty of the city of New York," being announced for a third reading, Mr. Varnum moved to recommit said bill to the committee on affairs of cities, with instructions to amend said bill in words following, and report forthwith.

Section 1. The commissioners of the sinking fund of the city of New York are hereby authorized to sell at private sale, and at what they shall deem a just value, the land and buildings thereon now owned by the mayor, aldermen and commonalty of the city of New York, on the northerly side of Stone street, between Whitehall and Broad streets, and used as a public school, known as primary school No. 15.

Sec 2. The money received in payment for said land and buildings shall be paid by the said commissioners into the treasury of said city, and shall be appropriated by the board of estimate and apportionment of the said city to the board of education of the said city, for the purpose of purchasing and erecting another school building in the first ward of the city of New York.

Sec. 3. The board of street opening and improvement of the city of New York may close all that portion of Marketfield street on both sides of which the New York Produce Exchange shall acquire title to the land, to be used by said exchange for the erection of a new building, and the State of New York hereby releases and grants to the New York Produce Exchange any right or title it may have in the portion of Marketfield street, so closed and occupied, and the said commissioners of the sinking fund may sell at private sale at what they shall deem its just value, and convey to the said New York Produce Exchange any right, title or interest which the mayor, aldermen and commonalty of the city of New York may have to the portion of Marketfield street so closed, and may allow as consideration or as part of the consideration therefor, the just value of any land adjoining

said new building which may be dedicated as a public street, from Beaver street to Marketfield street by said New York Produce Exchange, and opened as such by the said board of street opening and improvement.

Sec. 4. This act shall take effect immediately.

Mr. Speaker put the question whether the House would agree to the motion to recommit said bill, and it was determined in the affirmative.

Mr. Varnum, from the committee on affairs of cities, reported said bill back to the House, amended as instructed by the House.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Duell	McCabe	Skinner
Baker, B. F.	Duguid	McTernan	Slingerland
Baker, C. S.	Evans	Miller	Steele
Beach	Fish	Mooers	Strait
Brennan	Fiske	Morgan	Terpeny
Bridges	Gibbs	Nowlan	Terry
Brodsky	Gorsline	O'Brien	Titus
Bullock	Gray	Peck	Tozier
Carpenter, I. S.	Griggs	Pitcher	Travis
Chamberlain	Hagan	Potts	Treanor
Chase	Hayes	Rhodes	Tully
Chickering	Hoffman	Roberts	Tuthill, H. H.
Childs	Howland	Root	Tuttle, R. M.
Cohen	Hurd	Russell	Van Valkenburgh
Cookinham	Ingersoll	Seeley	Varnum
Crapsier	Lefever	Shanley	Waterbury
Cullinan	Liddle	Sherman	Wells, D. A.
Curtis	Lindsay	Shuit	Wiley
Deane	Low	Sipp	Wren
Douglass	McAvoy	Sisson	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the payment of certain assessments on property of the Bridge Street African Methodist Episcopal Church of the city of Brooklyn," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Dougherty	McAvoy	Sisson
Baker, C. S.	Douglass	McCabe	Skinner
Beach	Duell	Miller	Slingerland
Benedict, T. E.	Duguid	Mooers	Steele
Bennett	Ellis	Morgan	Strait

Brennan	Evans	Newman	Terpeny
Bridges	Ferris	Nowlan	Thilemann
Brodskey	Fish	O'Brien	Titus
Bullock	Gorsline	Peck	Tozier
Carpenter, I. S.	Gray	Pitcher	Travis
Catlin	Griggs	Potts	Treanor
Chamberlain	Hayes	Rhodes	Tully
Chickering	Hoffman	Roberts	Tuthill, H. H.
Childs	Howland	Root	Tuttle, R. M.
Clancy	Hurd	Russell	Van Valkenburgh
Cohen	Ingersoll	Seeley	Varnum
Cookinham	Lefever	Shanley	Waterbury
Crapsier	Liddle	Sheridan	Wells, D. A.
Cullinan	Lindsay	Sherman	Wren
Deane	Low	Shuit	

Those who voted in the negative, were

Bradley

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to amend chapter 446 of the Laws of 1874, entitled 'An act to revise and consolidate the statutes of the State relating to the care and custody of the insane, the management of the asylums for their treatment and safe-keeping, and the duties of the State Commissioner in Lunacy,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Deane	Low	Sheridan
Baker, C. S.	Douglass	McAvoy	Shuit
Beach	Duell	McCabe	Sipp
Benedict, T. E.	Duguid	McTernan	Sisson
Bennett	Ellis	Miller	Skinner
Bradley	Evans	Mooers	Slingerland
Brennan	Ferris	Morgan	Tallmadge
Bridges	Fish	Newman	Terpeny
Brodskey	Gibbs	Nowlan	Titus
Bullock	Gorsline	O'Brien	Tozier
Carpenter, I. S.	Gray	Peck	Travis
Catlin	Griggs	Pitcher	Treanor
Chamberlain	Hayes	Potter	Tully
Chase	Hoffman	Potts	Tuthill, H. H.
Chickering	Howland	Rhodes	Tuttle, R. M.
Childs	Hurd	Roberts	Varnum
Clancy	Ingersoll	Root	Warner
Comstock	Lefever	Russell	Waterbury
Cookinham	Liddle	Seeley	Wells, D. A.
Crapsier	Lindsay	Shanley	Wren
Curtis			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to organize a fire department in the vil-

lage of Madrid, St. Lawrence county, New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Lindsay	Sherman
Baker, B. F.	Deane	Low	Shuit
Baker, C. S.	Dougherty	McAvoy	Sipp
Beach	Douglass	McCabe	Sisson
Beates	Duell	McTernan	Skinner
Benedict, T. E.	Duguid	Miller	Slingerland
Bradley	Ellis	Mooers	Strait
Brennan	Evans	Morgan	Terpeny
Bridges	Ferris	Newman	Terry
Brodscky	Fish	Nowlan	Titus
Bullock	Gillette	O'Brien	Tozier
Carpenter, I. S.	Gorsline	Peck	Travis
Catlin	Gray	Pitcher	Treanor
Chamberlain	Griggs	Potter	Tully
Chickering	Hayes	Potts	Tuthill, H. H.
Childs	Hoffman	Roberts	Tuttle, R. M.
Clancy	Howland	Root	Van Valkenburgh
Comstock	Hurd	Russell	Warner
Cookinham	Ingersoll	Seeley	Waterbury
Crapser	Lefever	Shanley	Wells, D. A.
Cullinan	Liddle	Sheridan	Wren

*Ordered, That* the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to the payment of costs on arrest, trial and punishment for crimes and misdemeanors in villages, and in relation to the civil jurisdiction of police justices therein," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Duguid	Low	Shuit
Baker, B. F.	Ellis	McAvoy	Sipp
Beach	Evans	McCabe	Sisson
Beates	Ferris	McTernan	Skinner
Benedict, T. E.	Fish	Miller	Strait
Brennan	Fiske	Mooers	Terpeny
Bridges	Gillette	Morgan	Thilemann
Brodscky	Gorsline	Newman	Titus
Bullock	Gray	Nowlan	Tormey
Carpenter, I. S.	Griggs	O'Brien	Tozier
Catlin	Hagan	Pitcher	Treanor
Chamberlain	Hayes	Potts	Tully

Comstock	Hoffman	Rhodes	Tuthill, H. H.
Cookinham	Howland	Roberts	Tuttle, R. M.
Crapser	Hurd	Root	Warner
Cullinan	Husted	Russell	Waterbury
Curtis	Ingersoll	Sanders	Wells, D. A.
Deane	Lefever	Shanley	Wells, J. L.
Douglass	Liddle	Sheridan	Wiley
Duell	Lindsay	Sherman	Wren

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dougherty	McAvoy	Shuit
Baker, B. F.	Douglass	McCabe	Sipp
Baker, C. S.	Duell	Miller	Sisson
Beach	Duguid	Moore	Skinner
Beates	Ellis	Morgan	Steele
Bradley	Ferris	Newman	Terpeny
Brennan	Fish	Nowlan	Titus
Bridges	Fiske	O'Brien	Tozier
Brodsky	Gibbs	Peck	Travis
Bullock	Gorsline	Phillips	Treanor
Carpenter, I. S.	Gray	Potter	Tully
Catlin	Griggs	Potts	Tuthill, H. H.
Chamberlain	Hagan	Rhodes	Tuttle, R. M.
Chickering	Hayes	Roberts	Van Valkenburgh
Childs	Hoffman	Root	Warner
Cohen	Howland	Russell	Waterbury
Comstock	Husted	Seeley	Wells, D. A.
Cookinham	Ingersoll	Shanley	Wells, J. L.
Crapser	Lefever	Sheridan	Wiley
Cullinan	Liddle	Sherman	Wren
Deane	Low		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the appropriation of the moneys raised by the town of Otsego, in the county of Otsego, under chapter 482 of the Laws of 1875, to pay moneys borrowed by the supervisor of said town and used to secure to said town the use of the Otsego county court-house building for town hall purposes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Deane	Liddle	Sherman
Baker, C. S.	Dougherty	Lindsay	Shuit
Beach	Douglass	Low	Sipp
Beates	Duguid	McTernan	Sisson
Benedict, T. E.	Ellis	Miller	Skinner
Bradley	Evans	Mitchell	Steele
Brennan	Ferris	Mooers	Tallmadge
Bridges	Fish	Morgan	Terpeny
Brodsky	Fiske	Newman	Thilemann
Bullock	Gibbs	Nowlan	Titus
Carpenter, I. S.	Gorsline	O'Brien	Tozier
Catlin	Gray	Peck	Travis
Chamberlain	Griggs	Phillips	Tully
Chase	Hagan	Pitcher	Tuthill, H. H.
Chickering	Havens	Potts	Tuttle, R. M.
Childs	Hayes	Rhodes	Van Valkenburgh
Clancy	Hoffman	Roberts	Warner
Cohen	Howland	Root	Waterbury
Comstock	Hurd	Russell	Wells, D. A.
Cookinham	Husted	Seeley	Wells, J. L.
Crapser	Ingersoll	Shanley	Wiley
Cullinan	Lefever	Sheridan	Wren
Curtis			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Husted moved to take from the table the motion to reconsider the vote by which the bill entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" was passed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Husted then, with the permission of the House, withdrew his motion to reconsider the vote by which said bill was passed.

The bill entitled "An act to legalize and confirm the action of the board of supervisors of the county of Ulster in the division of the town of Kingston, in said county, by erecting the town of Ulster therefrom and attaching a portion thereof to the town of Woodstock, in said county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Deane	Lindsay	Sherman
Baker, B. F.	Dougherty	Low	Shuit
Baker, C. S.	Douglass	McAvoy	Sipp
Beach	Duell	McCabe,	Sisson
Beates	Duguid	Miller	Skinner
Benedict, T. E.	Evans	Mooers	Strait

Bradley	Ferris	Morgan	Terpeny
Brodsky	Fish	Newman	Titus
Bullock	Fiske	Nowlan	Tozier
Carpenter, I. S.	Gillette	O'Brien	Treanor
Catlin	Gorsline	Peck	Tully
Chamberlain	Gray	Phillips	Tuthill, H. H.
Chase	Griggs	Pitcher	Tuttle, R. M.
Chickering	Hagan	Potts	Van Valkenburgh
Childs	Hayes	Rhodes	Varnum
Clancy	Hoffman	Roberts	Warner
Cohen	Howland	Root	Waterbury
Comstock	Hurd	Russell	Wells, D. A.
Cookinham	Ingersoll	Seeley	Wells, J. L.
Crapser	Lefever	Shanley	Wiley
Cullinan	Liddle	Sheridan	Wren
Curtis			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Husted introduced a bill entitled "An act to legalize and authorize the town of Mount Pleasant, in the county of Westchester, to raise money to pay the estate of John O'Keefe for loss sustained by said John O'Keefe as collector, by depositing the town funds in the First National Bank of Tarrytown," which was read the first time, and by unanimous consent was also read the second time,

On motion of Mr. Husted, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Deane	Liddle	Shanley
Baker, B. F.	Dougherty	Lindsay	Sheridan
Baker, C. S.	Douglass	Low	Shuit
Beach	Duell	McAvoy	Sisson
Beates	Duguid	McCabe	Skinner
Benedict, T. E.	Ellis	McTernan	Strait
Bradley	Evans	Miller	Tallmadge
Bridges	Fish	Mooers	Terpeny
Brodsky	Gibbs	Morgan	Thilemann
Bullock	Gillette	Newman	Titus
Carpenter, I. S.	Gorsline	Nowlan	Tozier
Catlin	Gray	O'Brien	Travis
Chamberlain	Griggs	Peck	Tully
Chase	Hagan	Phillips	Tuthill, H. H.
Chickering	Havens	Pitcher	Tuttle, R. M.
Childs	Hayes	Potts	Van Valkenburgh
Cohen	Hoffman	Rhodes	Walsh
Comstock	Howland	Roberts	Warner
Cookinham	Hurd	Root	Waterbury
Crapser	Husted	Russell	Wells, D. A.
Cullinan	Ingersoll	Sanders	Weston
Curtis	Lefever	Seeley	Wren



*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act concerning the manufacture of salt and the inspection thereof," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 91 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Deane	Liddle	Seeley
Baker, B. F.	Dougherty	Lindsay	Sheridan
Baker, C. S.	Douglass	Low	Sherman
Beach	Duell	McAvoy	Shuit
Beates	Duguid	McCabe	Sipp
Benedict, T. E.	Ellis	Miller	Sisson
Bradley	Evans	Mitchell	Skinner
Brennan	Ferris	Mooers	Strait
Bridges	Fish	Morgan	Terpeny
Brodsky	Fiske	Newman	Terry
Bullock	Gillette	Nowlan	Thilemann
Carpenter, I. S.	Gorsline	O'Brien	Titus
Case	Gray	Peck	Tozier
Chamberlain	Griggs	Phillips	Treanor
Chase	Hagan	Pitcher	Tully
Chickering	Havens	Potter	Tuthill, H. H.
Childs	Hayes	Potts	Tuttle, R. M.
Clancy	Hoffman	Rhodes	Varnum
Cohen	Howland	Roberts	Warner
Cookinham	Hurd	Root	Wells, D. A.
Crapser	Husted	Russell	Wells, J. L.
Cullinan	Ingersoll	Sanders	Weston
Curtis	Lefever		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to release certain lands which have escheated to the State to Francis Marrin, the father of Francis Marrin, late of the village of Fairport, Monroe county, New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 94 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Deane	Lindsay	Sherman
Baker, B. F.	Dougherty	Low	Shuit
Baker, C. S.	Douglass	McAvoy	Sipp
Beach	Duell	McCabe	Sisson
Beates	Duguid	McTernan	Skinner
Benedict, T. E.	Ellis	Miller	Slingerland
Bradley	Evans	Mooers	Steele
Brennan	Ferris	Morgan	Tallmadge

Bridges	Fish	Newman	Terpeny
Brodsky	Fiske	Nowlan	Titus
Bullock	Gillette	O'Brien	Tormey
Carpenter, I. S.	Gorsline	Peck	Tozier
Case	Gray	Phillips	Travis
Catlin	Griggs	Pitcher	Tully
Chamberlain	Hagan	Potts	Tuthill, H. H.
Chase	Havens	Rhodes	Tuttle, R. M.
Chickering	Hayes	Roberts	Van Valkenburgh
Childs	Hoffman	Root	Varnum
Cohen	Howland	Russell	Warner
Comstock	Hurd	Sanders	Waterbury
Cookinham	Husted	Seeley	Wells, D. A.
Crapser	Ingersoll	Shanley	Wells, J. L.
Cullinan	Lefever	Sheridan	Wren
Curtis	Liddle		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to alter and define the boundaries of the first and third judicial districts of the city of New York," being announced for a third reading, Mr. Cohen moved to recommit said bill to the committee on the judiciary, for a hearing, retaining its place on order of third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 15 }

Those who voted in the affirmative, were

Alvord	Deane	Low	Skinner
Baker, B. F.	Douglass	McCabe	Slingerland
Baker, C. S.	Duell	Miller	Steele
Beach	Evans	Morgan	Tallmadge
Beates	Ferris	Nowlan	Terpeny
Bradley	Fish	O'Brien	Terry
Brennan	Fiske	Phillips	Titus
Bridges	Gillette	Pitcher	Tozier
Brodsky	Gorsline	Potts	Travis
Bullock	Gray	Roberts	Tuthill, H. H.
Carpenter, I. S.	Griggs	Root	Tuttle, R. M.
Case	Hagan	Russell	Van Valkenburgh
Chamberlain	Hayes	Sanders	Varnum
Chickering	Howland	Seeley	Warner
Childs	Hurd	Sheridan	Waterbury
Comstock	Husted	Sherman	Wells, D. A.
Cookinham	Ingersoll	Shuit	Wells, J. L.
Crapser	Lefever	Sipp	Weston
Cullinan	Liddle	Sisson	Wren
Curtis	Lindsay		

Those who voted in the negative, were

Bennett	Gibbs	Rhodes	Treanor
Cohen	Havens	Shanley	Tully
Dougherty	Hoffman	Smith	Walsh
Ellis	McTernan	Thibault	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to release to Ellen Kennedy and others the right, title and interest of the people of the State of New York in and to certain real estate in the county of Madison, of which Richard Kennedy died seized," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 90 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Liddle	Sherman
Baker, B. F.	Deane	Lindsay	Shuit
Baker, C. S.	Dougherty	Low	Sipp
Beach	Douglass	McAvoy	Sisson
Beates	Duell	McCabe	Skinner
Benedict, T. E.	Duguid	McTernan	Slingerland
Bennett	Ellis	Miller	Strait
Bradley	Evans	Mooers	Terpeny
Brennan	Ferris	Morgan	Terry
Bridges	Fish	Newman	Titus
Brodsky	Fiske	Nowlan	Tozier
Bullock	Gillette	O'Brien	Travis
Carpenter, I. S.	Gorsline	Peck	Tully
Case	Gray	Phillips	Tuthill, H. H.
Catlin	Griggs	Pitcher	Tuttle, R. M.
Chamberlain	Hagan	Potts	Van Valkenburgh
Chase	Hayes	Rhodes	Varnum
Chickering	Hoffman	Root	Warner
Childs	Howland	Russell	Waterbury
Comstock	Hurd	Sanders	Wells, D. A.
Cookinham	Husted	Seeley	Wells, J. L.
Crapser	Ingersoll	Shanley	Weston
Cullinan	Lefever,		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to confirm the proceedings of the board of trustees of the village of Attica relating to the sale and purchase of real estate," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Deane	Liddle	Shanley
Baker, B. F.	Dougherty	Lindsay	Sheridan
Baker, C. S.	Douglass	Low	Sherman
Beach	Duell	McAvoy	Shuit
Beates	Duguid	McCabe	Sipp
Benedict, T. E.	Ellis	McTernan	Sisson

Bennett	Evans	Miller	Skinner
Brennan	Ferris	Mooers	Steele
Bridges	Fish	Morgan	Strait
Brodsky	Fiske	Newman	Tallmadge
Bullock	Gillette	Nowlan	Terpeny
Carpenter, I. S.	Gorsline	O'Brien	Terry
Case	Gray	Peck	Titus
Catlin	Griggs	Phillips	Tozier
Chamberlain	Havens	Pitcher	Treanor
Chickering	Hayes	Potts	Tuthill, H. H.
Comstock	Hoffman	Rhodes	Tuttle, R. M.
Congdon	Howland	Roberts	Van Valkenburgh
Cookinham	Hurd	Root	Warner
Crapser	Husted	Russell	Wells, J. L.
Cullinan	Ingersoll	Sanders	Weston
Curtis	Lefever	Seeley	Wren

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to release and grant the interest of the people of the State of New York in certain real estate in the city of Brooklyn, in the county of Kings, and State of New York, to Mary Ryan," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 91 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Deane	Lindsay	Sherman
Baker, B. F.	Dougherty	Low	Shuit
Baker, C. S.	Douglass	McAvoy	Sipp
Beach	Duell	McCabe	Sisson
Beates	Duguid	McTernan	Skinner
Benedict, T. E.	Ellis	Miller	Slingerland
Bennett	Evans	Mooers	Steele
Bradley	Ferris	Morgan	Strait
Brennan	Fish	Newman	Tallmadge
Bridges	Fiske	Nowlan	Terpeny
Brodsky	Gillette	O'Brien	Terry
Bullock	Gorsline	Peck	Thilemann
Carpenter, I. S.	Gray	Phillips	Titus
Case	Griggs	Pitcher	Tozier
Catlin	Hagan	Potts	Tuthill, H. H.
Chamberlain	Hayes	Rhodes	Tuttle, R. M.
Chickering	Hoffman	Roberts	Van Valkenburgh
Cohen	Howland	Root	Warner
Comstock	Hurd	Russell	Waterbury
Cookinham	Husted	Sanders	Wells, D. A.
Crapser	Ingersoll	Seeley	Weston
Cullinan	Lefever	Shanley	Wren
Curtis	Liddle	Sheridan	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act in relation to the sale, and the proceeds

of sale, of certain school property in the city of Albany," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Deane	Liddle	Sherman
Andrews	Dougherty	Lindsay	Shuit
Baker, C. S.	Douglass	Low	Sipp
Beach	Duell	McAvoy	Sisson
Beates	Duguid	McCabe	Skinner
Benedict, T. E.	Ellis	Miller	Slingerland
Brennan	Evans	Mooers	Steele
Bridges	Ferris	Morgan	Strait
Brodsky	Fish	Newman	Terpeny
Bullock	Fiske	Nowlan	Titus
Carpenter, I. S.	Gillette	O'Brien	Tozier
Case	Gorsline	Peck	Tully
Chamberlain	Gray	Phillips	Tuthill, H. H.
Chickering	Griggs	Pitcher	Tuttle, R. M.
Childs	Hagan	Potts	Van Valkenburgh
Comstock	Hayes	Rhodes	Varnum
Congdon	Hoffman	Root	Warner
Cookinham	Howland	Russell	Wells, D. A.
Crapser	Hurd	Sanders	Wells, J. L.
Cullinan	Ingersoll	Seeley	Wren
Curtis	Lefever	Sheridan	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to provide for the navigation of the waters of the Wallkill creek in the county of Ulster, by steamboats," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Lefever	Shuit
Andrews	Crapser	Liddle	Sipp
Ash	Cullinan	Lindsay	Sisson
Baker, B. F.	Curtis	Low	Slingerland
Baker, C. S.	Dougherty	Miller	Steele
Beach	Douglass	Mitchell	Strait
Beates	Duell	Mooers	Terpeny
Bennett	Duguid	Morgan	Terry
Bradley	Evans	Nowlan	Thilemann
Brennan	Ferris	O'Brien	Titus
Bridges	Fish	Peck	Tozier
Brodsky	Gillette	Phillips	Tully

Bullock	Gorsline	Potts	Tuthill, H. H.
Carpenter, I. S.	Gray	Rhodes	Tuttle, R. M.
Case	Griggs	Root	Varnum
Catlin	Havens	Russell	Warner
Chamberlain	Hayes	Sanders	Waterbury
Chase	Hoffman	Seeley	Wells, D. A.
Childs	Howland	Shanley	Weston
Clark	Hurd	Sheridan	Wiley
Comstock	Husted	Sherman	Wren
Congdon			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act in relation to highway labor and the construction of sidewalks in the village of Whitney's Point," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapsier	Hurd	Shuit
Andrews	Cullinan	Husted	Sipp
Ash	Curtis	Ingersoll	Sisson
Baker, B. F.	Deane	Lefever	Skinner
Baker, C. S.	Dougherty	Liddle	Slingerland
Beach	Douglass	Low	Steele
Beates	Duell	McCabe	Strait
Benedict, T. E.	Duguid	McTernan	Tallmadge
Bradley	Ellis	Miller	Terry
Brennan	Evans	Mitchell	Titus
Bridges	Ferris	Mooers	Tozier
Brodsky	Fish	Nowlan	Travis
Bullock	Fiske	O'Brien	Tuthill, H. H.
Carpenter, I. S.	Gillette	Peck	Tuttle, R. M.
Case	Gorsline	Pitcher	Warner
Catlin	Gray	Rhodes	Waterbury
Chamberlain	Griggs	Root	Wells, J. L.
Chase	Havens	Sanders	Weston
Chickering	Hayes	Seeley	Wiley
Comstock	Hoffman	Sheridan	Wren
Cookinham	Howland	Sherman	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Messrs. Braman and Murtha, a committee on the part of the Senate, appeared before the bar of the House and stated that they were prepared to meet the Assembly in joint convention, for the election of a Superintendent of Public Instruction in place of Neil Gilmour.

The bill entitled "An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a

majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cohen	Howland	Shuit
Andrews	Comstock	Hurd	Sisson
Ash	Cookinham	Husted	Skinner
Baker, B. F.	Crapser	Ingersoll	Slingerland
Baker, C. S.	Cullinan	Lefever	Steele
Beach	Curtis	Liddle	Strait
Beates	Davis	McCabe	Tallmadge
Benedict, T. E.	Deane	McTernan	Terpeny
Bennett	Douglass	Miller	Terry
Bradley	Duell	Mooers	Tozier
Brennan	Duguid	Morgan	Travis
Bridges	Ellis	Nowlan	Treanor
Brodsky	Evans	Peck	Tuthill, H. H.
Bullock	Fish	Phillips	Tuttle, R. M.
Carpenter, I. S.	Fiske	Rhodes	Van Valkenburgh
Case	Gibbs	Roberts	Varnum
Catlin	Gorsline	Root	Waterbury
Chamberlain	Gray	Russell	Wells, D. A.
Chase	Griggs	Seeley	Weston
Chickering	Hayes	Sheridan	Wiley
Childs	Hoffman	Sherman	Wren

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Weston offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 335, general orders No. 361, entitled "An act to establish a ferry from the farm of Henry G. Burleigh, of the county of Essex, across Lake Champlain," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent.

Mr. Duguid offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 22 (introductory order 210), entitled "An act to regulate the transportation of freight by railroad corporations," be made a special order for Wednesday morning, and Assembly bill No. 25 (introductory order 213), entitled "An act to create a board of railroad commissioners, and define and regulate their powers and duties," be made a special order for Thursday morning, April 14, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The bill entitled "An act to release and convey to Emily Wundus the interest of the people of the State of New York in certain real estate in the city of Lockport," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 78 }  
{ NOES 24 }

Those who voted in the affirmative, were

Alvord	Deane	Lindsay	Sherman
Baker, B. F.	Dougherty	Low	Shuit
Baker, C. S.	Douglass	McAvoy	Sipp
Beach	Duell	McCabe	Sisson
Beates	Duguid	McCarthy	Skinner
Benedict, T. E.	Ellis	Miller	Slingerland
Bradley	Evans	Mooers	Steele
Brennan	Ferris	Morgan	Strait
Bridges	Fish	Newman	Tallmadge
Brodskey	Gillette	Nowlan	Terpeny
Bullock	Gorsline	O'Brien	Terry
Carpenter, I. S.	Gray	Peck	Titus
Case	Griggs	Phillips	Tozier
Catlin	Hayes	Pitcher	Travis
Chamberlain	Havens	Potts	Treanor
Chase	Hagan	Rhodes	Tully
Chickering	Hoffman	Roberts	Tuttle, R. M.
Childs	Howland	Root	Van Valkenburgh
Cohen	Hurd	Russell	Varnum
Comstock	Husted	Sanders	Walsh
Crapser	Ingersoll	Seeley	Waterbury
Cullinan	Lefever	Shanley	Wells, J. L.
Curtis	Liddle	Sheridan	Weston

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Van Valkenburgh offered for the consideration of the House a resolution in the words following:

*Resolved*, That Senate bill No. 100, entitled "An act in relation to the deposit of stocks in the Bank Department," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Husted moved that the bill entitled "An act further to amend chapter 380 of the Laws of 1852, entitled 'An act to incorporate the Canajoharie Water Works Company,'" be recommitted to the committee on internal affairs for a hearing, retaining its place on general orders.

Mr. Travis introduced a bill entitled "An act to regulate and define the duties of pawnbrokers and fixing a uniform rate of interest for all moneys loaned by them on goods and things," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The hour of twelve having arrived Mr. Speaker announced, pursuant to law and a joint resolution, the two Houses of the Legislature would meet in joint convention for the purpose of electing a Superintendent of Public Instruction in place of Neil Gilmour.

Mr. B. F. Baker offered for the consideration of the House a resolution in the words following:



*Resolved*, That a committee of two be appointed to inform the honorable the Senate that the Assembly is ready to meet that body in joint convention, for the purpose of electing a Superintendent of Public Instruction in place of Neil Gilmour.

Mr. Speaker appointed as such committee Messrs. B. F. Baker and Rhodes.

Messrs. B. F. Baker and Rhodes, the committee appointed to wait upon the Senate, appeared before the bar of the House and stated that they had performed that duty. Whereupon the Senate appeared in the Assembly Chamber, and the President of the Senate took the chair and announced that the Senate and Assembly were in joint convention for the purpose of electing a Superintendent of Public Instruction in place of Neil Gilmour.

The President of the Senate directed the Clerk of the Senate to call the roll of the Senate.

Astor	Hogan	Mills	Sessions
Baker, Jr.	Jacobs	Murtha	Stevens
Birdsall	Loomis	Pitts	Strahan
Bixby	Lord	Robertson	Wagner
Braman	Lynde	Rockwell	Wendover
Eidman	Madden	Schroeder	Williams
Forster	McCarthy	Seebacher	Winslow
Halbert			

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The President of the Senate directed the Clerk to call the roll of the Assembly.

Alvord	Deane	Low	Sipp
Andrews	Douglass	McAvoy	Sisson
Baker, B. F.	Duell	McCabe	Skinner
Baker, C. S.	Duguid	McCarthy	Slingerland
Beach	Ellis	McTernan	Steele
Beates	Evans	Miller	Strait
Benedict, T. E.	Ferris	Mitchell	Tallmadge
Bennett	Fish	Mooers	Terry
Bradley	Fiske	Morgan	Thilemann
Brennan	Gibbs	Newman	Titus
Bridges	Gillette	Nowlan	Tozier
Brodeky	Gorsline	O'Brien	Travis
Bullock	Gray	Peck	Treanor
Carpenter, I. S.	Griggs	Phillips	Tully
Case	Grosse	Pitcher	Tuthill, H. H.
Catlin	Hagan	Potts	Tuttle, R. M.
Chamberlain	Havens	Rhodes	Van Valkenburgh
Chickering	Hayes	Roberts	Varnum
Childs	Hoffman	Root	Walsh
Clancy	Howland	Russell	Warner
Cohen	Hurd	Sanders	Waterbury
Comstock	Husted	Seeley	Wells, D. A.
Cookinham	Ingersoll	Shanley	Wells, J. L.
Crapser	Lefever	Sheridan	Weston
Cullinan	Liddle	Sherman	Wren
Curtis	Lindsay	Shuit	Mr. Speaker 104

On motion of Mr. Rockwell, Messrs. Rockwell and Jacobs were appointed tellers on the part of the Senate.

On motion of Mr. Varnum, Messrs. Varnum and Havens were appointed tellers on the part of the House.

The two Houses then proceeded in joint convention to the election of a Superintendent of Public Instruction in place of Neil Gilmour.

The tellers reported the whole number of votes cast 136, of which Neil Gilmour received 106, and Chas. W. Cole received 30.

The President thereupon declared that Neil Gilmour, having received a majority of the votes cast, was duly elected State Superintendent of Public Instruction for the term of three years from this date.

The members of the Senate having retired Mr. Speaker announced that the Senate and the Assembly, having been in joint convention, Neil Gilmour was declared by the President of the Senate, as President of said convention, duly elected as Superintendent of Public Instruction for the term of three years from this date.

The bill entitled "An act creating a board of town auditors in the town of Newtown, Queens county, and prescribing their powers and duties," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dougherty	Lindsay	Shuit
Andrews	Douglass	Low	Sipp
Baker, B. L.	Duell	McAvoy	Sisson
Baker, C. S.	Duguid	McCabe	Skinner
Beach	Ellis	McTernan	Slingerland
Beates	Evans	Miller	Strait
Benedict, T. E.	Ferris	Mooers	Terry
Bennett	Fish	Morgan	Titus
Bradley	Fiske	Newman	Tozier
Brennan	Gibbs	Nowlan	Travis
Bridges	Gillette	O'Brien	Treanor
Brodsky	Gorsline	Phillips	Tully
Bullock	Gray	Pitcher	Tuthill, H. H.
Carpenter, L. S.	Griggs	Potts	Tuttle, R. M.
Case	Grosse	Rhodes	Van Valkenburg
Chickering	Hagan	Roberts	Walsh
Childs	Hayes	Root	Warner
Clark	Hoffman	Russell	Waterbury
Comstock	Howland	Sanders	Wells, D. A.
Cookinham	Hurd	Seeley	Wells, J. L.
Crapser	Ingersoll	Shanley	Weston
Cullinan	Lefever	Sheridan	Wren
Curtis	Liddle	Sherman	Mr. Speaker
Deane			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Indefinite leave of absence was granted to Mr. Youngs.

The bill entitled "An act to repeal chapter 176 of the Laws of 1878, entitled 'An act to repeal chapter 416 of the Laws of 1876, entitled 'An act to amend chapter 440 of the Laws of 1873, entitled 'An act requiring commissioners of highways to act as inspectors of plankroads and turnpikes, so far as the same relates to Ulster county,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the

final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cohen	Liddle	Sherman
Andrews	Crapser	Lindsay	Shuit
Baker, B. F.	Cullinan	Low	Sisson
Baker, C. S.	Curtis	McCabe	Skinner
Beach	Deane	Miller	Terpeny
Beates	Douglass	Mitchell	Terry
Benedict, T. E.	Duell	Mooers	Thileman
Bennett	Duguid	Morgan	Titus
Bradley	Ellis	Nowlan	Tozier
Brennan	Evans	O'Brien	Tuthill, H. H.
Bridges	Ferris	Peck	Tuttle, R. M.
Brodsky	Gillette	Phillips	Van Valkenburgh
Bullock	Gray	Potts	Warper
Carpenter, I. S.	Grosse	Rhodes	Waterbury
Case	Hayes	Roberts	Wells, J. L.
Catlin	Hoffman	Root	Weston
Chamberlain	Hurd	Russell	Wiley
Chase	Husted	Sanders	Wren
Chickering	Ingersoll	Seeley	Mr. Speaker
Childs	Lefever	Sheridan	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence the bill entitled "An act to authorize the supervisor of the town of Attica, in Wyoming county, to purchase lots of the Attica Cemetery Association, and to remove to and reinter therein the bodies remaining in the old burial ground in the village of Attica; to sell said old burial ground, and to defray the expenses of removing the bodies therefrom and reintering the same in new grounds," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

The Senate sent for concurrence the bill entitled "An act to provide for the establishment of a union free school or schools within the corporate limits of the village of Cortland," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Childs, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Ingersoll	Sipp
Andrews	Cullinan	Lefever	Sisson
Baker, B. F.	Curtis	Liddle	Skinner
Baker, C. S.	Davis	Lindsay	Slingeland

Beach	Deane	Low	Steele
Beates	Dougherty	McAvoy	Strait
Benedict, T. E.	Duguid	Miller	Terry
Bradley	Ellis	Mitchell	Titus
Bridges	Ferris	Moors	Travis
Brodsky	Fish	Morgan	Tuthill, H. H.
Bullock	Fiske	Nowlan	Tuttle, R. M.
Carpenter, I. S.	Gillette	Peck	Van Valkenburgh
Case	Gorsline	Phillips	Warner
Chamberlain	Gray	Potts	Waterbury
Chase	Griggs	Root	Wells, J. L.
Chickering	Grosse	Sanders	Weston
Childs	Hayes	Seeley	Wiley
Cohen	Hoffman	Sherman	Wren
Comstock	Hurd	Shuit	Mr. Speaker
Costello	Husted		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence the following bills:

The bill entitled "An act to incorporate the 'Maenner Gesang Verein Eichenkranz,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

The bill entitled "An act to amend chapter 11 of the Laws of 1867, entitled 'An act to amend an act entitled 'An act to create a board of public instruction in the city of Albany, to establish free schools therein, and amendatory of the several acts relating to the district schools in said city,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Griggs, and by unanimous consent, said bill was ordered to a third reading.

The bill entitled "An act making appropriations to continue the work on the new Capitol building," being announced for a third reading,

Mr. Skinner moved that said bill be laid aside for one week.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Skinner moved to recommit said bill to the committee on ways and means, with instructions to investigate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Skinner then moved to recommit said bill to the committee on ways and means, with instruction to report said bill back one week from to-day.

Mr. Brennan moved to further amend by striking out "one million and a half" and insert in lieu thereof "one million."

Mr. Speaker put the question whether the House would agree to the motion of Mr. Brennan, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Skinner, and it was determined in the negative.

Mr. Rhodes moved to recommit said bill to the committee on ways and means, with instruction to amend said bill in words following and report forthwith:

Amend section 5 by inserting at the end of line 2 "first in inclosing the whole of the building and roofing the same, and then."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 15 }

Those who voted in the affirmative, were

Alvord	Curtis	Lindsay	Sherman
Andrews	Davis	Low	Sipp
Baker, B. F.	Deane	McAvoy	Sisson
Baker, C. S.	Dougherty	McCabe	Slingerland
Beates	Douglass	McCarthy	Tallmadge
Bennett	Duell	McTernan	Terry
Bradley	Duguid	Mitchell	Thilemann
Bridges	Ferris	Mooers	Titus
Brodsky	Fiske	Morgan	Travis
Bullock	Gibbs	Newman	Treanor
Carpenter, I. S.	Gray	Nowlan	Tully
Case	Griggs	Peck	Tuttle, R. M.
Catlin	Grosse	Phillips	Van Valkenburgh
Chamberlain	Hayes	Pitcher	Varnum
Childs	Hoffman	Potts	Walsh
Clancy	Howland	Russell	Wells, D. A.
Comstock	Hurd	Sanders	Wells, J. L.
Cookinham	Husted	Seeley	Weston
Costello	Ingersoll	Shanley	Wren
Crapser	Lefever	Sheridan	Mr. Speaker
Cullinan	Liddle		

Those who voted in the negative, were

Benedict, T. E.	Ellis	Rhodes	Terpeny
Brennan	Fish	Shuit	Tozier
Chickering	Havens	Skinner	Waterbury
Cohen	Miller	Steele	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Alvord, and at 1 o'clock and 55 minutes, the House took a recess until 4 P. M.

#### FOUR O'CLOCK, P. M.

The House again met.

Mr. Wren offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), 'That a respectful message be sent to the Governor for the return, for amendment, of Assembly bill, printed No. 70, entitled "An act to ascertain the citizens of the various towns of Kings county who shall be entitled to the rights of suffrage therein."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Hoffman offered for the consideration of the House a resolution in the words following :

*Resolved*, That Assembly bill No. 475, G. O. 537, entitled "An act to incorporate the National Guard Mutual Relief Association of the State of New York," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker announced the special order of the day being Assembly bills Nos. 488, 266, and Senate bill No. 55, entitled as follows :

"An act to ascertain by proper proofs the citizens who shall be entitled to the right of suffrage in all towns and villages of this State whose boundary line shall abut against the boundary line of any city having a population of over twenty thousand inhabitants."

"An act to confirm the title to real estate now held or hereafter acquired by resident aliens."

Senate, "An act conferring jurisdiction on the Canal Appraisers to determine the amount of damages to which the Port Byron school district, in the town of Mentz, in the county of Cayuga, is entitled to by reason of certain acts of this State."

The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act to confirm the title to real estate now held or hereafter acquired by resident aliens."

Senate, "An act conferring jurisdiction on the Canal Appraisers to determine the amount of damages to which the Port Byron school district, in the town of Mentz, in the county of Cayuga, is entitled to by reason of certain acts of this State."

"An act to ascertain by proper proofs the citizens who shall be entitled to the right of suffrage in all the towns and villages of this State whose boundary line shall abut against the boundary line of any city having a population of over twenty thousand inhabitants."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Howland, from said committee, reported in favor of the passage of the first named bill with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Howland, from said committee, also reported in favor of the passage of the second named bill, with amendments, which report was agreed to, and the same ordered to a third reading.

Mr. Howland, from said committee, also reported in favor of the passage of the last named bill, with amendments.

Mr. Rhodes moved to amend said report by adding as a new section to said bill the following :

"This act shall not apply to the third Assembly district of Rensselaer county, nor the county of Broome." Said amendments having been offered in the committee of the whole,

After debate,

Mr. Alvord moved the previous question.

Mr. Speaker put the question, "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion to amend, offered by Mr. Rhodes, and it was determined in the negative.

{ AYES 27 }  
{ NOES 68 }

Those who voted in the affirmative, were

Andrews	Dougherty	McAvoy	Strait
Benedict, T. E.	Ellis	McCarthy	Terpeny
Bennett	Fiske	McDonald	Tormey
Oatlin	Gibbs	McTernan	Treanor
Clancy	Hagan	Rhodes	Tully
Cohen	Havens	Shanley	Walsh
Cushing	Hoffman	Sheridan	

Those who voted in the negative, were

Alvord	Comstock	Husted	Russell
Baker, B. F.	Cookinham	Ingersoll	Sanders
Baker, C. S.	Crapser	Lelever	Seeley
Beach	Cullinan	Liddle	Sherman
Beates	Curtis	Lindsay	Sipp
Bradley	Davis	Low	Sisson
Brennan	Deane	Miller	Skinner
Bridges	Douglass	Mitchell	Terry
Brodsky	Duell	Mothers	Tozier
Bullock	Duguid	Morgan	Travis
Carpenter, I. S.	Ferris	Nowlan	Tuthill, H. H.
Case	Fish	Peck	Tuttle, R. M.
Chamberlain	Gilletta	Phillips	Van Valkenburgh
Chickering	Gorsline	Pitcher	Waterbury
Childs	Gray	Potts	Wells, J. L.
Clark	Hayes	Roberts	Wren
Clowes	Howland	Root	Mr. Speaker

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

*Ordered*, That said bill be engrossed for a third reading.

Mr. Speaker moved that bill No. 261, entitled "An act relating to the State Board of Charities," be made a special order for Tuesday morning next, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Van Valkenburgh offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 332, general orders No. 358, entitled "An act authorizing the enlargement of the west branch of the Eighteen Mile creek, in the county of Niagara," etc., be considered in the next committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Husted introduced a bill entitled "An act to amend an act entitled 'An act to incorporate the Fire-Proof Warehousing Company,' passed May 9, 1868, and the acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Brodsky offered for the consideration of the House a resolution in the words following:

*Resolved*, That Senate bill No. 53, entitled "An act to legalize cer-

tain proceedings of the common council of the city of New York," general orders No. 380, be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Newman offered for the consideration of the House a resolution in the words following:

*Resolved*, That Senate bill No. 115, general orders No. 136, entitled "An act in relation to Fourth avenue, in the city of Brooklyn," be referred to the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Phillips offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 187, general orders No. 202, entitled "An act to amend chapter 287 of the Laws of 1879, entitled 'An act to provide for the formation of county and town co-operative insurance companies,'" be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Newman offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill (introductory No. 788), entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" be referred back to the committee on general laws, to report at any time, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Alvord, and at 5 o'clock and 55 minutes the House adjourned until to-morrow morning at 10 o'clock.

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### WEDNESDAY MORNING, APRIL 7, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Foster.

The journal of yesterday was read and approved.

By unanimous consent,

Mr. Hurd offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 537, general orders No. 269, entitled "An act making an appropriation to pay the expenses of the col-



lection of tolls, superintendence, ordinary repairs and maintenance of the canals for the fiscal year, commencing on the first day of October, 1880, and to provide for a contingent deficiency in the revenue of the canals for the calendar year 1880," and Assembly bill No. 248, general orders No. 266, entitled "An act appropriating money for the payment of sums due to contractors for new work and extraordinary repairs on the canals, and to pay the certificates and drafts issued therefor," be made a special order for to-morrow afternoon at 4 P. M.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Evans introduced a bill entitled "An act to legalize the official acts of Casper B. Vescelius, a justice of the peace of the county of Seneca," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Tuthill introduced a bill entitled "An act to amend chapter 53 of the Laws of 1879, entitled 'An act to revise the charter of the city of Auburn,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Comstock introduced a bill entitled "An act for the relief of Sarah Collins," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Bradley introduced a bill entitled "An act to amend chapter 570 of the Laws of 1872, entitled "An act to ascertain by proper proofs the citizens who shall be entitled to the right of suffrage in the State of New York, except in the city and county of New York and the city of Brooklyn, and to repeal chapter 572 of the Laws of 1871, entitled 'An act to amend an act entitled 'An act in relation to elections in the city and county of New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Slingerland (by request) introduced a bill entitled "An act further to amend chapter 175 of the Laws of 1870, entitled 'An act regulating the sale of intoxicating liquors, and the several acts amendatory thereto,' in so far as they relate to the city of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Douglass introduced a bill entitled "An act to amend chapter 107 of the Laws of 1878, and as farther amended by chapter 367 of the Laws of 1878, entitled 'An act requiring justices to give bonds,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the sub-committee of the whole.

Mr. Weston introduced a bill entitled "An act to legalize and confirm the action of the electors of the town of Wilmington, in the county of Essex," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Sisson introduced a bill entitled "An act to amend chapter 279, Laws of 1876, entitled 'An act to amend section 15 of article 2, title 4 of chapter 2 of part 3 of the Revised Statutes, relating to justices' court,'" which was read the first time, and by unanimous consent

was also read the second time, and referred to the committee on the judiciary.

Mr. Terry introduced a bill entitled "An act to amend section 376 of the Code of Civil Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Kennedy, from the committee on claims, to which was referred the Senate bill (introductory No. 83), entitled "An act for the relief of Abel Crook," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Thilemann (introductory No. 977), entitled "An act to facilitate the removal of stable manure from the built-up portions of the city of New York," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Speaker introduced a bill entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Bennett (introductory No. 99), entitled "An act to amend chapter 32 of the Laws of 1873, entitled 'An act to regulate the pay of firemen in the city of New York,'" reported said bill for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. E. D. Benedict (introductory No. 895), entitled "An act in relation to assessments in the county of Kings," reported adversely thereto.

On motion of Mr. Newman said report was laid on the table.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Griggs (introductory No. 137), entitled "An act in relation to the police force of the city of Albany," reported adversely thereto, which report was agreed to.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. J. L. Wells (introductory No. 267), entitled "An act to amend chapter 329 of the Laws of 1874, entitled 'An act to re-enact and amend an act entitled 'An act to provide for the annexation of the towns of Morrisania, West Farms and Kingsbridge, in the county of Westchester, to the city and county of New York,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. McDonald (introductory No. 689), entitled "An act to secure the payment of mechanics, laborers and workmen who perform work, also persons furnishing materials toward the erection, altering, repairing buildings, wharves, vaults or any other structure in the cities of the State of New York," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Brennan (introductory No. 982), entitled "An act to amend section 1 of chapter 453 of the Laws of 1870, entitled 'An act to amend an act entitled 'An act to incorporate the village of Chateaugay, in the county of Franklin,' passed May 3, 1869," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 111), entitled "An act to protect the rights of citizens of this State owning and holding claims against other States," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 165), entitled "An act to amend the Code of Civil Procedure," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 166), entitled "An act to legalize the acts of John K. Harden, as notary public," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 123), entitled "An act to amend chapter 868, Laws of 1872, entitled 'An act to incorporate the United States Loan and Security Company,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Weston, from the committee on roads and bridges, to which was referred the bill introduced by Mr. I. S. Carpenter (introductory No. 153), entitled "An act to authorize and facilitate the construction and improvement of sidewalks in the streets of unincorporated villages, and the application of highway labor thereto," reported said bill for the consideration of the House with amendment, which report was agreed to and said bill committed to the committee of the whole.

A message from the Senate was received and read informing of concurrence in the passage of the following resolutions:

*Resolved* (if the Senate concur), That 1,000 copies of the report of the State Engineer and Surveyor, transmitted to the Speaker of the Assembly, be printed for the use of the State Engineer and Surveyor, and 1,500 copies be printed for the use of the Legislature.

Also,

*Resolved* (if the Senate concur), That 1,200 copies of the last annual report of the Superintendent of Public Works be printed; 500 for the use of the Legislature and 700 for the Superintendent of Public Works; 500 to be bound in cloth and the balance in paper.

Also,

*Resolved* (if the Senate concur), That there be printed for the use of the Secretary of State in making exchanges; 500 copies of the report of the Secretary of State on Criminal Statistics for the year 1879, and 500 copies of the report of the Secretary of State on the Statistics of Pauperism for the year 1879.

By unanimous consent,

Mr. Tallmadge offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee of the whole be discharged from the further consideration of Assembly bill No. 491, general orders No. 556, entitled "An act to prohibit the erection, construction, maintenance or operation of elevated railways or extensions thereof, in certain streets or avenues in the city of Brooklyn and county of Kings," and that the same be made a special order for the afternoon immediately after the other special orders are disposed of.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Pursuant to ninth joint rule, Mr. Speaker announced order of business, third reading of bills.

The bill entitled "An act to amend chapter 415 of the Laws of 1877, entitled 'An act for the protection of dairymen, and to prevent deception in sales of butter,'" being announced for a third reading, Mr. Curtis moved to recommit said bill to the committee on agriculture, retaining its place on third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill entitled "An act in relation to the county-treasurers in the counties of Monroe and Seneca," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Kennedy	Sheridan
Andrews	Cullinan	Lefever	Sherman
Beach	Curtis	Liddle	Sipp
Beates	Davis	Low	Sisson
Benedict, T. H.	Deane	McAvoy	Slingerland
Bradley	Douglas	Miller	Steele
Brennan	Duell	Mooers	Strait
Bridges	Duguid	Morgan	Tallmadge
Brodsky	Ellis	Newman	Terpeny
Bullock	Evans	Nowlan	Terry
Carpenter, I. S.	Ferris	O'Brien	Titus
Case	Fish	O'Connor	Tozier
Catlin	Fitzgerald	Parker	Travis
Chamberlain	Gibbs	Phillips	Tuthill, H. H.
Chickering	Gorsline	Potts	Tuttle, R. M.
Childs	Griggs	Roberts	Warner
Clark	Grosse	Root	Waterbury
Clowes	Gwinup	Russell	Wells, D. A.
Cohen	Havens	Sanders	Wells, J. L.
Comstock	Hoffman	Seeley	Weston
Congdon	Howland	Shanley	Wren
Costello			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to legalize the acts of Henry Stork as justice of the peace," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 88 }  
{ NOES 00 }

Those who voted in the affirmative, were

Beach	Cullinan	Kennedy	Sherman
Beates	Curtis	Lefever	Sipp
Benedict, T. E.	Cushing	McCabe	Sisson
Bennett	Davis	McCarthy	Skinner
Bradley	Deane	McTernan	Steele
Brennan	Dougherty	Miller	Strait
Bridges	Douglass	Mooers	Tallmadge
Brodsky	Duell	Morgan	Terpeny
Bullock	Duguid	Newman	Terry
Carpenter, I. S.	Ellis	Nowlan	Thilemann
Case	Evans	O'Brien	Titus
Catlin	Ferris	O'Connor	Tozier
Chamberlain	Fish	Parker	Travis
Chickering	Fiske	Peck	Treanor
Childs	Fitzgerald	Phillips	Tully
Clark	Gibbs	Potts	Tuthill, H. H.
Clowes	Griggs	Rhodes	Tuttle, R. M.
Cohen	Gwinup	Roberts	Warner
Comstock	Hagan	Root	Wells, D. A.
Congdon	Havens	Russell	Wells, J. L.
Costello	Hoffman	Seeley	Weston
Crapser	Howland	Sheridan	Wren

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to amend chapter 469 of the Laws of 1873, entitled 'An act relative to the purchasers of the franchises and property of corporations whose franchises and property shall have been sold by mortgage,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 78 }  
{ NOES 23 }

Those who voted in the affirmative, were

Alvord	Duell	McCarthy	Sipp
Baker, B. F.	Duguid	Miller	Sisson
Beach	Evans	Mooers	Slingerland
Bradley	Ferris	Morgan	Steele
Brennan	Fish	Newman	Tallmadge
Bridges	Fiske	Nowlan	Terpeny
Brodsky	Fitzgerald	O'Brien	Terry
Bullock	Gorsline	O'Connor	Titus
Carpenter, I. S.	Griggs	Parker	Tozier
Case	Hagan	Peck	Travis
Catlin	Havens	Phillips	Treanor
Childs	Hoffman	Pitcher	Tuthill, H. H.
Clark	Howland	Potter	Tuttle, R. M.
Clowes	Hurd	Potts	Warner

Comstock	Kennedy	Roberts	Waterbury
Congdon	Lefever	Root	Wells, D. A.
Costello	Lindsay	Russell	Wells, J. L.
Davis	Low	Seeley	Weston
Deane	McAvoy	Sherman	Wren
Dougherty	McCabe		

Those who voted in the negative, were

Andrews	Cohen	Ellis	Rhodes
Beates	Crapser	Gibbs	Sheridan
Benedict, T. E.	Cullinan	Gray	Skinner
Bennett	Curtis	Grosse	Tormey
Chamberlain	Cushing	Gwinup	Varnum
Chickering	Douglass	McTernan	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence the bills entitled as follows :

"An act to amend chapter 53 of the Laws of 1879, entitled 'An act to revise the charter of the city of Auburn,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to provide for the creation of a board of charities and corrections of the county of Kings, and for the appointment of the commissioners thereof and their subordinates," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The bill entitled "An act to simplify the proof of the Sanitary Code in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Davis	McCabe	Sipp
Baker, B. F.	Deane	McCarthy	Sisson
Beates	Douglass	McTernan	Skinner
Benedict, T. E.	Ellis	Miller	Slingerland
Bennett	Evans	Moors	Steele
Bradley	Ferris	Morgan	Strait
Brennan	Fish	Newman	Tallmadge
Bridges	Fiske	Nowlan	Terpen
Bullock	Fitzgerald	O'Brien	Terry
Carpenter, I. S.	Gibbs	Parker	Titus
Catlin	Gorsline	Peck	Tormey
Chamberlain	Gray	Phillips	Tozier
Chickering	Griggs	Pitcher	Travis
Clark	Gwinup	Potter	Treanor
Clowes	Hagan	Potts	Tully
Cohen	Hayes	Rhodes	Tuthill, H. H.
Comstock	Hoffman	Roberts	Tuttle, R. M.
Congdon	Howland	Root	Warner
Costello	Lefever	Russell	Waterbury
Crapser	Lindsay	Seeley	Wells, D. A.

Cullinan,	Low	Shanley	Weston
Curtis	McAvoy	Sheridan	Wren
Cushing			

Those who voted in the negative, were  
Brodsky

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act further to amend chapter 270 of the Laws of 1850, entitled 'An act to authorize the appointment of commissioners to take the proof and acknowledgment of deeds and other instruments, and to administer oaths in other States and Territories,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 88 }  
{ NOES 00 }

Those who voted in the affirmative, were

Baker, B. F.	Duguid	McTernan	Sisson
Beach	Ellis	Miller	Skinner
Beates	Evans	Moors	Steele
Bradley	Ferris	Morgan	Strait
Brennan	Fish	Newman	Tallmadge
Bridges	Fiske	Nowlan	Terpeny
Brodsky	Fitzgerald	O'Brien	Terry
Bullock	Gibbs	Parker	Titus
Carpenter, I. S.	Gorsline	Peck	Tormey
Chickering	Gray	Phillips	Tozier
Clowes	Griggs	Pitcher	Travis
Comstock	Grosbe	Potter	Tully
Congdon	Hagan	Potts	Tuthill, H. H.
Crapsier	Hoffman	Rhodes	Tuttle, R. M.
Cullinan	Howland	Root	Walsh
Curtis	Hurd	Russell	Warner
Cushing	Lindsay	Seeley	Waterbury
Davis	Low	Shanley	Wells, D. A.
Deane	McAvoy	Sheridan	Wells, J. L.
Dougherty	McCabe	Sherman	Weston
Douglass	McCarthy	Shuit	Wren
Duell	McDonald	Sipp	Mr. Speaker

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to prevent trespassing and intrusion upon railroad cars and engines," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Hurd	Shanley
Andrews	Curtis	Kennedy	Sheridan

Baker, B. F.	Cushing	Lefever	Sherman
Beach	Davis	Liddle	Shuit
Beates	Dougherty	Lindsay	Sipp
Benedict, T. E.	Douglass	McAvoy	Sisson
Bradley	Duguid	McCabe	Skinner
Brennan	Ellis	McTernan	Slingerland
Bridges	Evans	Nowlan	Tallmadge
Brodsky	Fish	O'Connor	Terpeny
Bullock	Fiske	Peck	Titus
Carpenter, I. S.	Fitzgerald	Phillips	Tormey
Catlin	Gibbs	Pitcher	Travis
Chamberlain	Gorsline	Potter	Treanor
Chase	Gray	Potts	Tuthill, H. H.
Chickering	Griggs	Rhodes	Tuttle, R. M.
Childs	Grosse	Roberts	Waterbury
Clowes	Gwinup	Root	Wells, D. A.
Cohen	Hagan	Sanders	Weston
Comstock	Hoffman	Seeley	Wren
Crapser	Howland		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to limit commitments of children in the city and county of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 76 }  
{ NOES 29 }

Those who voted in the affirmative, were

Andrews	Curtis	Miller	Sisson
Baker, B. F.	Davis	Mitchell	Skinner
Baker, C. S.	Douglass	Mooers	Steele
Beach	Duell	Morgan	Strait
Beates	Duguid	Newman	Tallmadge
Bradley	Evans	Nowlan	Terpeny
Brennan	Ferris	Peck	Terry
Bridges	Fish	Phillips	Titus
Bullock	Fiske	Pitcher	Tozier
Carpenter, I. S.	Gillette	Potter	Travis
Chamberlain	Grosse	Potts	Tuthill, H. H.
Chase	Hayes	Roberts	Tuttle, R. M.
Childs	Hoffman	Root	Van Valkenburgh
Clark	Howland	Russell	Varnum
Clowes	Kennedy	Sanders	Waterbury
Comstock	Lefever	Seeley	Wells, D. A.
Congdon	Lindsay	Sherman	Weston
Crapser	Low	Shuit	Wren
Cullinan	McCabe	Sipp	Mr. Speaker

Those who voted in the negative, were

Alvord	Cushing	Gwinup	O'Connor
Benedict, T. E.	Deane	Hagan	Parker
Bennett	Dougherty	Havens	Shanley
Brodsky	Ellis	McAvoy	Sheridan
Chickering	Fitzgerald	McCarthy	Thilemann
Clancy	Gibbs	McDonald	Tully
Cohen	Gorsline	McTernan	Walsh
Costello			



*Ordered.* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Steele offered for the consideration of the House a resolution in the words following:

*Resolved,* That the time for which the stenographer to the committee on assessments and taxation was employed, be extended twenty days.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The bill entitled "An act to authorize the sale of subdivision No. 15 of block No. 27, in the third ward, and a part of subdivision 18 of block No. 148, in the sixth ward, of the city of Oswego," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES. 89 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Kennedy	Sherman
Baker, B. F.	Cushing	Lefever	Shuit
Baker, C. S.	Deane	Liddle	Sisson
Beach	Dougherty	Lindsay	Skinner
Beates	Douglass	McCabe	Slingerland
Benedict, T. E.	Duell	McDonald	Steele
Bennett	Duguid	Mitchell	Strait
Bradley	Ellis	Moors	Tallmadge
Brennan	Evans	Morgan	Terpeny
Bridges	Ferris	Nowlan	Terry
Brodsky	Fish	Parker	Titus
Bullock	Fiske	Peck	Tozier
Carpenter, I. S.	Gillette	Phillips	Travis
Cashin	Gorsline	Potter	Tully
Chamberlain	Gray	Potts	Tuthill, H. H.
Chase	Griggs	Rhodes	Tuttle, R. M.
Chickering	Grosse	Root	Van Valkenburgh
Childs	Gwinup	Russell	Waterbury
Clowes	Havens	Sanders	Wells, D. A.
Comstock	Hayes	Seeley	Weston
Congdon	Hoffman	Shanley	Wren
Crapser	Howland	Sheridan	Mr. Speaker
Cullinan			

*Ordered.* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker presented a communication from the State Engineer and Surveyor, in response to a resolution of the Senate and Assembly relative to the proposed canal connecting Peconic and Shinnecock bays; which was laid on the table and ordered printed.

(See Doc. No. 108.)

Senate bill entitled "An act to confirm the election of trustees in the village of Hastings-on-Hudson, in the county of Westchester, and to provide for their election hereafter," was read a third time.

Mr. Speaker put the question whether the House would agree to the

final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Howland	Russell
Andrews	Davis	Hurd	Sanders
Baker, B. F.	Dougherty	Kennedy	Sheridan
Baker, C. S.	Douglass	Lefever	Shuit
Beach	Duell	Liddle	Sipp
Beates	Duguid	Lindsay	Sisson
Benedict, T. E.	Ellis	McCabe	Skinner
Bennett	Evans	McCarthy	Slingerland
Bradley	Ferris	Miller	Steele
Brennan	Fish	Mitchell	Strait
Brodsky	Fiske	Mooers	Tallmadge
Bullock	Gibbs	Morgan	Terpeny
Carpenter, I. S.	Gillette	Newman	Terry
Chamberlain	Gorsline	Nowlan	Titus
Chase	Gray	Parker	Tormey
Chickering	Griggs	Peck	Tozier
Clark	Grosse	Pitcher	Tuthill, H. H.
Clowes	Gwinup	Potter	Tuttle, R. M.
Comstock	Havens	Potts	Van Valkenburgh
Congdon	Hayes	Rhodes	Varnum
Crapser	Hoffman	Root	Weston

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to exempt certain towns of this State from the provisions of chapter 431 of the Laws of 1875, entitled 'An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Douglass	McCabe	Sipp
Andrews	Duell	Miller	Sisson
Baker, B. F.	Duguid	Mitchell	Skinner
Baker, C. S.	Ellis	Mooers	Slingerland ]
Beach	Evans	Morgan	Steele
Beates	Ferris	Newman	Strait
Benedict, T. E.	Fish	Nowlan	Tallmadge
Bradley	Gillette	O'Connor	Terpeny
Brennan	Gorsline	Parker	Terry
Brodsky	Gray	Peck	Titus
Bullock	Griggs	Phillips	Tozier
Carpenter, I. S.	Grosse	Potter	Travis
Chase	Gwinup	Potts	Tuthill, H. H.
Chickering	Hoffman	Rhodes	Tuttle, R. M.
Childs	Howland	Root	Van Valkenburgh

Clark	Kennedy	Russell	Varnum
Comstock	Lefever	Seeley	Waterbury
Congdon	Liddle	Sherman	Weston
Crapser	Lindsay	Shuit	Wren
Davis			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to amend section 5 of chapter 448 of the Laws of 1876, entitled 'An act relating to courts, officers of justice and civil proceedings,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Howland	Sanders
Andrews	Cushing	Hurd	Seeley
Baker, B. F.	Davis	Lefever	Sheridan
Baker, C. S.	Deane	Liddle	Sherman
Beach	Dougherty	Lindsay	Shuit
Beates	Douglass	McAvo	Sipp
Benedict, T. E.	Duell	McCabe	Sisson
Bradley	Duguid	McCarthy	Skinner
Brennan	Ellis	McTernan	Slingerland
Brodsky	Evans	Miller	Steele
Bullock	Ferris	Mitchell	Strait
Carpenter, I. S.	Fish	Moors	Tallmadge
Case	Fiske	Morgan	Terpeny
Chamberlain	Gibbs	Newman	Terry
Chase	Gillette	Nowlan	Titus
Childs	Gorsline	Parker	Travis
Clark	Gray	Peck	Tuttle, R. M.
Clowes	Griggs	Pitcher	Van Valkenburgh
Cohen	Grosse	Potts	Varnum
Comstock	Gwinup	Rhodes	Waterbury
Costello	Hagan	Root	Weston
Crapser	Hoffman	Russell	Wren
Cullinan			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to amend chapter 476 of the Laws of 1869, entitled 'An act to establish the office of receiver of taxes in the town of New Rochelle, in the county of Westchester,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Miller	Sisson
Andrews	Davis	Mitchell	Skinner

Baker, B. F.	Duell	Mooers	Slingerland
Baker, C. S.	Duguid	Morgan	Steele
Beach	Ellis	Nowlan	Strait
Beates	Evans	O'Connor	Tallmadge
Brennan	Fish	Parker	Terpeny
Bridges	Fiske	Peck	Terry
Broderick	Gillette	Phillips	Titus
Bullock	Gorsline	Pitcher	Travis
Carpenter, I. S.	Gray	Potter	Tully
Case	Griggs	Potts	Tuthill, H. H.
Chamberlain	Grosse	Rhodes	Tuttle, R. M.
Chase	Hoffman	Root	Van Valkenburgh
Childs	Howland	Russell	Varnum
Clark	Lefever	Seeley	Warner
Clowes	Liddle	Sheridan	Waterbury
Comstock	Lindsay	Sherman	Wells, D. A.
Congdon	McAvoy	Shuit	Weston
Cookinham	McCabe	Sipp	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. C. S. Baker moved to recommit Senate bill entitled "An act to protect the holders of casualty insurance policies, and to prevent the use of fictitious or deceptive names by individuals or corporations doing such insurance," to the committee on insurance, for amendment.

By unanimous consent,

Mr. C. S. Baker offered for the consideration of the House a resolution in the words following:

*Resolved*, That the adverse report of the committee of the judiciary on the bill entitled "An act to amend chapter 144, Laws of 1863, entitled 'An act to amend an act allowing the continued use of copartnership names in certain cases,'" be disagreed to, and that said bill be recommitted to said committee.

Mr. Speaker put the question whether the House would agree to take said resolution from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to recommit said bill to the committee on the judiciary, and it was determined in the affirmative.

By unanimous consent,

Mr. Travis moved to discharge the committee of the whole from the further consideration of Assembly bill entitled "An act to amend chapter 123 of the Laws of 1874, entitled 'An act to amend the charter of the Hudson Suspension Bridge and New England Railway Company,'" and that said bill be engrossed and ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

*Ordered*, That said bill be engrossed for a third reading.

Mr. Alvord in the chair.

The bill entitled "An act to amend chapter 7 of the Laws of 1867, entitled 'An act to establish a board of education in and for the village school district of the town of Malone, in the county of Franklin, and for other purposes,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Crapser	Kennedy	Sherman
Andrews	Cullinan	Lefever	Shuit
Baker, B. F.	Curtis	Liddle	Sipp
Baker, C. S.	Dougherty	Lindsay	Sisson
Beach	Douglass	Low	Skinner
Beates	Duell	McAvoy	Slingerland
Bradley	Duguid	McCabe	Strait
Brennan	Ellis	Miller	Tallmadge
Bridges	Evans	Mitchell	Terpeny
Brodsky	Fish	Morgan	Terry
Bullock	Fitzgerald	Newman	Titus
Carpenter, I. S.	Gillette	Nowlan	Travis
Case	Gorsline	Parker	Tuthill, H. H.
Catlin	Gray	Peck	Tuttle, R. M.
Chamberlain	Griggs	Phillips	Van Valkenburgh
Chase	Grosse	Potts	Varnum
Clark	Gwinup	Rhodes	Waterbury
Clowes	Havens	Root	Wells, D. A.
Cohen	Hoffman	Sanders	Wells, J. L.
Comstock	Howland	Seeley	Weston

Those who voted in the negative, were

Mooers

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costello	Low	Sherman
Andrews	Cullinan	McAvoy	Shuit
Baker, B. F.	Curtis	McCabe	Sisson
Baker, C. S.	Davis	Miller	Skinner
Beach	Dougherty	Mitchell	Slingerland
Beates	Duell	Mooers	Strait
Bradley	Duguid	Morgan	Tallmadge
Brennan	Ellis	Newman	Terpeny
Bridges	Evans	Nowlan	Terry
Brodsky	Fish	O'Brien	Titus
Bullock	Fiske	Parker	Travis
Carpenter, I. S.	Fitzgerald	Phillips	Tuthill, H. H.
Case	Griggs	Potter	Tuttle, R. M.
Catlin	Grosse	Potts	Van Valkenburgh

Chamberlain	Gwinup	Rhodes	Varnum
Chase	Hoffman	Root	Waterbury
Childs	Howland	Russell	Wells, J. L.
Clark	Kennedy	Seeley	Weston
Clowes	Lefever	Shanley	Wren
Comstock	Liddle		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Privileges of the floor were granted to Hon. Mr. Robinson, Hon. Mr. Walker, Hon. Daniel E. Sickels and General Beebe.

Senate bill entitled "An act to amend chapter 104 of the Laws of 1877, entitled 'An act to authorize the treasurer of Monroe county to sell property for unpaid taxes,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	McAvoy	Seeley
Andrews	Cullinan	McCabe	Sheridan
Baker, B. F.	Douglass	McDonald	Sherman
Baker, C. S.	Duell	Miller	Shuit
Beach	Duguid	Mitchell	Skinner
Beates	Evans	Moore	Slingerland
Bradley	Ferris	Morgan	Steele
Brennan	Fish	Newman	Terpeny
Bridges	Fiske	Nowlan	Terry
Brodsky	Fitzgerald	O'Brien	Titus
Bullock	Gray	Parker	Treanor
Carpenter, I. S.	Griggs	Peck	Tuthill, H. H.
Case	Grosse	Phillips	Tuttle, R. M.
Catlin	Gwinup	Pitcher	Van Valkenburgh
Chamberlain	Hoffman	Potter	Varnum
Chase	Howland	Potts	Warner
Childs	Kennedy	Root	Waterbury
Clark	Lefever	Russell	Wells, J. L.
Comstock	Liddle	Sanders	Wren
Congdon	Lindsay		

*Ordered*. That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to authorize the treasurer of Orleans county to sell property for unpaid taxes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Kennedy	Sheridan
Baker, B. F.	Crapser	Lefever	Sherman
Baker, C. S.	Davis	Liddle	Shuit

Beach	Dougherty	Low	Sisson
Beates	Douglass	McAvoy	Skinner
Bradley	Duell	McCabe	Slingerland
Brennan	Duguid	Miller	Steele
Bridges	Evans	Mitchell	Strait
Brodsky	Ferris	Mooers	Terpeny
Bullock	Fish	Morgan	Terry
Carpenter, I. S.	Fiske	Newman	Titus
Case	Gibbs	Nowlan	Travis
Catlin	Gillette	Parker	Tuthill, H. H.
Chamberlain	Gorsline	Peck	Tuttle, R. M.
Chase	Gray	Phillips	Van Valkenburgh
Clark	Griggs	Potter	Varnum
Clowes	Grosse	Root	Waterbury
Cohen	Gwinup	Russell	Wells, D. A.
Comstock	Hoffman	Sanders	Weston
Congdon	Howland	Seeley	Wren

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

By unanimous consent.

Mr. Hagan introduced a bill entitled "An act for the better security of the public health, and the prevention of nuisances in the county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health:

Senate bill entitled "An act to amend chapter 11 of the Laws of 1867, entitled 'An act to amend an act entitled 'An act to create a board of public instruction in the city of Albany, to establish free schools therein, and amendatory of the several acts relating to district schools in said city,' " was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cohen	Hagan	Root
Andrews	Comstock	Hayes	Russell
Baker, B. F.	Congdon	Hoffman	Sanders
Baker, C. S.	Cookinham	Ingersoll	Seeley
Beach	Costello	Kennedy	Sheridan
Beates	Crapser	Lefever	Sherman
Benedict, T. E.	Cullinan	Liddle	Shuit
Bennett	Curtis	Low	Sipp
Bradley	Davis	McAvoy	Sisson
Brennan	Douglass	McCabe	Skinner
Bridges	Duell	Miller	Slingerland
Brodsky	Duguid	Mitchell	Titus
Bullock	Ellis	Mooers	Tozier
Carpenter, I. S.	Evans	Morgan	Tuthill, H. H.
Case	Ferris	O'Brien	Tuttle, R. M.
Chamberlain	Fish	Parker	Van Valkenburgh
Chase	Gillette	Peck	Varnum
Childs	Gray	Phillips	Waterbury
Clark	Griggs	Potts	Weston
Clowes	Grosse	Rhodes	Wren

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to amend chapter 268 of the Laws of 1877, entitled 'An act in relation to the collection of taxes and the sales of land therefor in certain towns in Queens county,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 00 }

Those who voted in the affirmative, were.

Alvord	Costello	Lefever	Sanders
Andrews	Crapser	Liddle	Seeley
Baker, B. F.	Cullinan	Lindsay	Sheridan
Baker, C. S.	Curtis	Low	Sherman
Beach	Davis	McAvoy	Sisson
Benedict, T. E.	Dougherty	McCabe	Skinner
Bradley	Douglass	McDonald	Steele
Brennan	Duell	Miller	Terpeny
Bridges	Duguid	Mitchell	Terry
Brodsky	Evans	Mooers	Titus
Bullock	Ferris	Morgan	Travis
Carpenter, I. S.	Fish	Nowlan	Tuthill, H. H.
Oatlin	Gibbs	O'Brien	Tuttle, R. M.
Chamberlain	Gillette	Parker	Van Valkenburgh
Chase	Gorsline	Peck	Varnum
Childs	Grosse	Phillips	Warner
Oohen	Gwinup	Potter	Waterbury
Comstock	Hoffman	Rhodes	Wells, J. L.
Congdon	Ingersoll	Root	Weston
Cookinham	Kennedy	Russell	Wren

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Varnum (introductory No. 909), entitled "An act in regard to markets in the city of New York, and to provide for the rebuilding of the same and the acquisition of land for market purposes," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Chase, from the committee on agriculture, to which was referred the bill introduced by Mr. Curtis (introductory No. 245), entitled "An act to amend chapter 415 of the Laws of 1877, entitled 'An act for the protection of dairymen, and to prevent deception in sale of butter,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Sanders, from the committee on affairs of villages, to which



was referred the bill introduced by Mr. T. E. Benedict (introductory No. 990), entitled "An act in relation to assessments for taxes in the village of Ellenville," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

M. T. E. Benedict moved to discharge the committee of the whole from the further consideration of said bill, and that said bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker presented the annual report relative to savings banks, from the Banking Department; which was laid on the table and ordered printed.

(See Doc. No. 109.)

By unanimous consent

Mr. Roberts moved to discharge the committee of the whole from the further consideration of Assembly bill entitled "An act to amend chapter 519 of the Laws of 1870, entitled 'An act to revise the charter of the city of Buffalo,' passed April 28, 1870," and that said bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. McCarthy introduced a bill entitled "An act to further amend chapter 448 of the Laws of 1876, entitled 'An act relating to courts, officers of justice and civil proceedings,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill entitled "An act to amend section 376 of the Code of Civil Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to provide for the dissolution of union free school districts in certain cases."

"An act to authorize the Comptroller to admit the unpaid taxes of the year 1879, assessed upon lands in the several counties of the State which were bid in by the State at the tax sale of 1877, and to which the State acquired title from said tax sale."

"An act to legalize the official acts of the supervisor of the town of Eden, Erie county, performed instead of commissioners, provided for by chapter 907 of the Laws of 1869."

"An act to confirm the title to real estate now held or hereafter acquired by resident aliens."

"An act in relation to the keeping open of the offices of the register, county clerk and county treasurer of the county of Westchester."

"An act to amend chapter 522 of the Laws of 1865, entitled 'An act to amend title 1 of chapter 16 of the first part of the Revised Statutes, in regard to roads and bridges and the appointment of overseers of highways.'"

"An act to amend chapter 526 of the Laws of 1879, entitled 'An act to amend chapter 161 of the Laws of 1872, entitled 'An act for the protection of tax payers against the frauds, embezzlements and wrongful acts of public officers and agents.'"

"An act concerning the supply of pure and wholesome water for the city of New York."

"An act in relation to arrears of taxes in the city of New York, and to provide for the reissuing of revenue bonds in anticipation of such taxes."

"An act to amend chapter 260 of the Laws of 1867, entitled 'An act to incorporate the village of Coxsackie.'"

"An act to authorize the lighting of public streets and avenues in the town of Westchester, in the county of Westchester."

"An act to incorporate the National Tent of the National Order of Rechabites."

"An act for the relief of Young Men's Hebrew Association of Harlem."

"An act to amend the charter of the Germania Fire Insurance Company so as to change time of election of directors."

"An act to regulate voting in the Western New York Agricultural Society."

"An act to extend the time for the collection of taxes in the county of Richmond."

"An act to authorize Henry Fordham and George W. Tuttle to establish, maintain and operate a ferry across the Great South bay, in Suffolk county."

"An act to amend chapter 59 of the Laws of 1861, entitled 'An act to amend the charter of the Poughkeepsie and New Paltz Ferry Company.'"

"An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game.'"

"An act to legalize the official acts and proceedings of John Bradley Bliven, a justice of the peace of Chenango county."

"An act conferring additional powers upon the trustees of the village of LeRoy."

"An act to extend the time for the collection of taxes in the towns of Catskill and Hunter, in the county of Greene."

"An act to amend chapter 75 of the Laws of 1878, entitled 'An act in relation to the bonded indebtedness of villages, cities, towns and counties.'"

"An act to provide for the registration of certain bonds in the city and county of New York."

"An act to amend sections 4 and 5 of title 2 of chapter 714 of the Laws of 1869, entitled, 'An act to incorporate the city of Watertown.'"

"An act further to amend chapter 25 of the Laws of 1870, entitled 'An act to incorporate the city of Rome,' and chapter 49 of the Laws of 1871, amendatory thereof, and to establish a board of police and fire commissioners."

"An act in relation to a certain bridge over the Erie canal on Mill street in the city of Lockport."

"An act to provide for the establishment and maintenance of a public market place for farmers and market gardeners, in the city of New York, for the acquisition of lands for this purpose, and for the regulation and management of the same."

Mr. C. S. Baker in the chair.

Mr. Alvord called for the enforcement of the ninth joint rule.

Mr. Comstock moved to lay said order of business on the table for the purpose of taking up order of business general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

By unanimous consent,

Mr. Terry offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 252, general orders No. 272, entitled 'An act to amend chapter 140 of the Laws of 1850, entitled 'An act to authorize the formation of railroad corporations and to regulate the same,' is made a special order for Friday morning, April 9, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The bill entitled "An act to extend the time for the collection of taxes in the towns of Catskill and Hunter, in the county of Greene," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 87 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Deane	McTernan	Sipp
Baker, B. F.	Dougherty	Miller	Sisson
Beach	Duell	Mitchell	Skinner
Beates	Duguid	Mooers	Tallmadge
Benedict, T. E.	Ellis	Morgan	Terry
Bennett	Evans	Newman	Titus
Bradley	Ferris	Nowlan	Tormey
Brennan	Fish	O'Brien	Tozier
Bridges	Fiske	Parker	Travis
Brodsky	Gillette	Peck	Treanor
Bullock	Griggs	Phillips	Tully
Carpenter, I. S.	Gwinup	Pitcher	Tuthill, H. H.
Case	Hagan	Potter	Tuttle, R. M.
Catlin	Hayes	Potts	Van Valkenburgh
Clark	Hoffman	Rhodes	Varnum
Clowes	Howland	Root	Warner
Congdon	Ingersoll	Russell	Waterbury
Cookinham	Lefever	Sanders	Wells, D. A.
Crapser	Liddle	Seeley	Wells, J. L.
Cullinan	Lindsay	Sheridan	Weston
Curtis	McAvoy	Sherman	Wren
Davis	McCabe	Shuit	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 75 of the Laws of 1878, entitled 'An act in relation to the bonded indebtedness of the villages, cities, towns and counties,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 3 }

Those who voted in the affirmative, were

Alvord	Cullinan	McDonald	Sipp
Andrews	Curtis	McTernan	Sisson
Baker, B. F.	Davis	Miller	Skinner
Baker, C. S.	Deane	Mitchell	Strait
Beach	Duell	Mooers	Tallmadge
Beates	Duguid	Morgan	Terpeny
Bennett	Evans	O'Brien	Terry
Bradley	Ferris	O'Connor	Titus
Brennan	Fish	Parker	Tormey
Bridges	Fiske	Peck	Tozier
Brodsky	Gwinup	Phillips	Travis
Bullock	Havens	Pitcher	Tuttle, R. M.
Carpenter, I. S.	Hoffman	Potter	Van Valkenburgh
Case	Howland	Potts	Varnum
Chamberlain	Ingersoll	Roberts	Warner
Childs	Kennedy	Root	Waterbury
Comstock	Lefever	Sanders	Wells, D. A.
Congdon	Low	Seeley	Wells, J. L.
Cookinham	McAvoy	Sherman	Weston
Costello	McCabe	Shuit	Wren

Those who voted in the negative, were

Benedict, T. E.      Fitzgerald      Rhodes

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the registration of certain bonds in the city and county of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Curtis	McAvoy	Shuit
Andrews	Cushing	McCabe	Sipp
Baker, C. S.	Deane	McTernan	Sisson
Beach	Duell	Miller	Skinner
Beates	Duguid	Mitchell	Slingerland
Benedict, T. E.	Ellis	Mooers	Terpeny
Bennett	Ferris	Morgan	Terry
Brennan	Fish	Newman	Titus
Bridges	Fiske	Nowlan	Tormey
Brodsky	Gillette	O'Brien	Tozier
Bullock	Gray	Parker	Travis
Carpenter, I. S.	Griggs	Peck	Treanor
Case	Hagan	Phillips	Tully
Childs	Hayes	Pitcher	Tuttle, R. M.
Clowes	Hoffman	Potts	Walsh
Comstock	Howland	Roberts	Warner
Congdon	Ingersoll	Root	Waterbury
Cookinham	Kennedy	Sanders	Wells, J. L.

Crapser  
Cullinan

Lefever  
Lindsay

Seeley  
Sherman

Weston  
Wren

Those who voted in the negative, were  
Rhodes

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend sections 4 and 5 of title 2 of chapter 714 of the Laws of 1869, entitled 'An act to incorporate the city of Watertown,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 69 }  
{ NOES 19 }

Those who voted in the affirmative, were

Alvord	Cullinan	McCabe	Shuit
Andrews	Curtis	Miller	Sipp
Baker, O. S.	Davis	Mitchell	Sisson
Beach	Douglass	Mooers	Skinner
Beates	Duell	Morgan	Slingerland
Bennett	Duguid	Nowlan	Steele
Bradley	Ferris	O'Brien	Terpeny
Bridges	Fish	Peck	Terry
Brodsky	Fiske	Phillips	Titus
Bullock	Gillette	Pitcher	Tozier
Carpenter, I. S.	Gorsline	Potter	Travis
Case	Howland	Potts	Tuttle, R. M.
Chamberlain	Ingersoll	Roberts	Van Valkenburgh
Childs	Kennedy	Root	Varnum
Clowes	Lefever	Sanders	Warner
Congdon	Lindsay	Seeley	Wells, J. L.
Cookinham	Low	Sherman	Weston
Crapser			

Those who voted in the negative, were

Benedict, T. E.	Havens	Newman	Strait
Cohen	Hoffman	O'Connor	Tormey
Costello	McAvoy	Parker	Tully
Cushing	McCarthy	Rhodes	Walsh
Ellis	McTernan	Shanley	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act further to amend chapter 25 of the Laws of 1870, entitled 'An act to incorporate the city of Rome,' and chapter 49 of the Laws of 1871, amendatory thereof, and to establish a board of police and fire commissioners," being announced for a third reading, Mr. Rhodes moved to recommit said bill to the committee on affairs of cities, with instructions to amend said bill in words following:

Line 11, section 1, strike out "who shall be overseer of the poor."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Shanley moved to recommit said bill to the committee on affairs of cities, with instructions to amend said bill in words following:

Section 1, line 10, strike out "four" and insert the word "one."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 76 }  
{ NOES 33 }

Those who voted in the affirmative, were

Alvord	Crapser	Lefever	Sherman
Baker, B. F.	Cullinan	Lindsay	Shuit
Baker, C. S.	Curtis	Low	Sipp
Beach	Davis	McCabe	Sisson
Beates	Deane	Miller	Skinner
Bradley	Douglass	Mitchell	Slingerland
Brennan	Duell	Mooers	Tallmadge
Bridges	Duguid	Morgan	Terry
Brodsky	Ferris	Nowlan	Titus
Bullock	Fish	O'Brien	Tozier
Carpenter, I. S.	Fiske	Peck	Travis
Case	Gorsline	Phillips	Tuthill, H. H.
Chamberlain	Gray	Pitsher	Tuttle, R. M.
Chickering	Griggs	Potts	Van Valkenburgh
Clark	Hayes	Roberts	Varnum
Clowes	Howland	Root	Waterbury
Comstock	Hurd	Russell	Wells, J. L.
Congdon	Ingersoll	Sanders	Weston
Cookinham	Kennedy	Seeley	Wren

Those who voted in the negative, were

Benedict, E. D.	Ellis	McAvoy	Shanley
Benedict, T. E.	Fitzgerald	McCarthy	Sheridan
Bennett	Gibbs	McDonald	Strait
Catlin	Grosse	McTernan	Thilemann
Clancy	Gwinup	Newman	Tormey
Cohen	Hagan	O'Connor	Treanor
Costello	Havens	Parker	Tully
Cushing	Hoffman	Rhodes	Walsh
Dougherty			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence therein.

The bill entitled "An act in relation to arrears of taxes in the city of New York, and to provide for the reissuing of revenue bonds in anticipation of such taxes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	McAvoy	Sipp
Baker, B. F.	Davis	McCabe	Sisson
Baker, C. S.	Douglass	McCarthy	Skinner

Beach	Duell	McTernan	Steele
Beates	Duguid	Mead	Tallmadge
Benedict, T. E.	Ellis	Miller	Terpeny
Bradley	Fish	Mitchell	Terry
Brennan	Fiske	Mooers	Thilemann
Bridges	Gorsline	Morgan	Titus
Brodsky	Gray	Newman	Tormey
Bullock	Griggs	Nowlan	Tozier
Carpenter, I. S.	Grosse	Peck	Travis
Case	Gwinup	Phillips	Treanor
Chamberlain	Hagan	Pitcher	Tuthill, H. H.
Chickering	Hayes	Potts	Tuttle, R. M.
Childs	Hoffman	Roberts	Van Valkenburgh
Clark	Hurd	Root	Warner
Clowes	Ingersoll	Russell	Waterbury
Comstock	Kennedy	Sanders	Wells, D. A.
Congdon	Lefever	Seeley	Wells, J. L.
Cookinham	Lindsay	Sherman	Weston
Costello	Low	Shuit	Wren

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act in relation to the sheriff of the city and county of New York."

"An act to amend chapter 271 of the Laws of 1834, entitled 'An act for establishing a justices' court in the city of Troy,' and the several acts amendatory thereof and supplemental thereto, and also to amend chapter 56 of the Laws of 1848, entitled 'An act to provide for the election of the justices and the clerk of the justices' court in and for the city of Troy, and the appointment of a marshal,' and the several acts amendatory thereof and supplemental thereto, and also to amend chapter 18 of the Laws of 1876, entitled 'An act in relation to the police court and justices' court of the city of Troy.'"

"An act to repeal section 3 of chapter 683 of the Laws of 1873, entitled 'An act to provide for the extension of the New York, Kingston and Syracuse railroad.'"

The bill entitled "An act in relation to a certain bridge over the Erie canal on Mill street in the city of Lockport," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 92 }  
} NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Lefever	Seeley
Baker, B. F.	Crapser	Lindsay	Sherman
Baker, C. S.	Davis	McCabe	Shuit
Beach	Deane	McCarthy	Sipp
Beates	Dougherty	McDonald	Sisson
Benedict, T. E.	Duell	McTernan	Skinner
Bennett	Duguid	Mead	Slingerland
Bradley	Ellis	Miller	Tallmadge
Brennan	Evans	Mitchell	Terpeny

Bridges	Ferris	Moore	Terry
Brodsky	Fish	Morgan	Titus
Bullock	Fiske	Newman	Tozier
Carpenter, I. S.	Fitzgerald	Nowlan	Travis
Case	Gibbs	O'Brien	Treanor
Catlin	Gorsline	Parker	Tuthill, H. H.
Chamberlain	Gray	Peck	Tuttle, R. M.
Chickering	Grosse	Phillips	Van Valkenburgh
Childs	Hagan	Pitcher	Walsh
Clark	Havens	Potts	Waterbury
Clowes	Hoffman	Roberts	Wells, D. A.
Cohen	Howland	Root	Wells, J. L.
Comstock	Ingersoll	Russell	Weston
Congdon	Kennedy	Sanders	Wren

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Messrs. Duguid, Sanders, Gillette, Potts, Cullinan, Sisson; Terry, Gwinup, —Baker and Evans presented petitions in favor of the passage of the railroad bills recommended by the legislative committee; which were read and referred to the committee on railroads.

Messrs. Tuthill, Case and Gorsline presented petitions against the passage of the railroad bills recommended by the legislative committee; which were read and referred to the committee on railroads.

Messrs. Seeley and Terry presented petitions against any change in the excise laws; which were read and referred to the committee on internal affairs.

Messrs. Miller, Van Valkenburgh and Curtis presented petitions asking for an amendment to the Constitution of the State, prohibiting the sale of intoxicating liquors; which were read and referred to the committee on internal affairs.

Messrs. Mitchell, Slingerland and Kennedy presented petitions against the taxation of church property; which were read and referred to the special committee on taxation.

Messrs. Childs and Titus presented petitions asking for separate institutions for the detention and reformation of convicted women; which were read and referred to the committee on State prisons.

Mr. Titus presented a petition asking for a State board of health; which was read and referred to the committee on public health.

Mr. Cookinham presented a petition against the passage of the bill establishing a public market in the city of Utica; which was read and referred to the committee on affairs of cities.

Mr. Wren presented a petition in favor of an act to prevent the construction of an elevated railroad on Clinton avenue, Brooklyn; which was read and referred to the committee of the whole.

Several petitions against changing the size of apple barrels were read and referred to the committee of the whole.

A message from the Senate was received and read, informing of non-concurrence in the passage of the following resolution:

*Resolved* (if the Senate concur), That 500 copies of the annual report of the Homœopathic Medical Society of the State of New York for the year 1880, be printed for the use of said society.

Mr. Speaker in the chair.

By unanimous consent,

Mr. Deane offered for the consideration of the House a resolution in the words following:

[ASSEM. JOURNAL.]



*Resolved*, That Assembly bill introductory No. 909, general orders No. 753, entitled "An act in regard to markets in the city of New York, and to provide for the rebuilding of the same and the acquisition of land for market purposes," be recommitted to the committee on affairs of cities, with instructions to amend by substituting Senate bill printed No. 259, on the same subject, and to report forthwith, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Travis moved that said bill be made a special order for this afternoon immediately after the other special orders are disposed of.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The bill entitled "An act to amend the charter of the Germania Fire Insurance Company, so as to change time of election of directors," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 81 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Costello	Lindsay	Sherman
Andrews	Crapser	Low	Shuit
Baker, C. S.	Curtis	McCabe	Sipp
Beach	Cushing	McCarthy	Sisson
Beates	Davis	Mead	Skinner
Bennett	Deane	Miller	Steele
Bradley	Douglass	Mitchell	Tallmadge
Brennan	Duell	Mooers	Terpeny
Bridges	Ellis	Morgan	Terry
Brodsky	Ferris	Newman	Titus
Bullock	Fish	Nowlan	Tozier
Carpenter, I. S.	Gorsline	Peck	Travis
Catlin	Gray	Phillips	Treanor
Chamberlain	Hagan	Pitcher	Tuthill, H. H.
Chase	Hayes	Potts	Tuttle, R. M.
Childs	Hoffman	Roberts	Varnum
Clark	Hurd	Root	Waterbury
Clowes	Ingersoll	Russell	Wells, J. L.
Cohen	Kennedy	Seeley	Weston
Congdon	Lefever	Sheridan	Wren
Cookinham			

Those who voted in the negative, were

Rhodes                      Walsh

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to regulate voting in the Western New York Agricultural Society," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 70 }  
{ NOES 12 }

Those who voted in the affirmative, were

Andrews	Douglass	McAvoy	Shuit
Baker, B. F.	Duell	McCabe	Sipp
Baker, C. S.	Duguid	Miller	Sisson
Beach	Ellis	Mitchell	Skinner
Beates	Ferris	Mooers	Slingerland
Bradley	Fish	Morgan	Tallmadge
Bullock	Fiske	Newman	Titus
Carpenter, I. S.	Gorsline	Nowlan	Tormey
Chickering	Griggs	Peck	Travis
Childs	Grosse	Phillips	Treanor
Clark	Hagan	Potts	Tuthill, H. H.
Clowes	Hayes	Roberts	Tuttle, R. M.
Cohen	Hoffman	Root	Van Valkenburgh
Congdon	Hurd	Russell	Waterbury
Cookinham	Ingersoll	Sanders	Wells, J. L.
Crapser	Kennedy	Sheridan	Weston
Curtis	Lefever	Sherman	Wren
Deane	Low		

Those who voted in the negative, were

Alvord	Cushing	Gray	Pitcher
Benedict, T. E.	Davis	Gwinup	Rhodes
Bridges	Fitzgerald	O'Connor	Walsh

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to extend the time for the collection of taxes in the county of Richmond," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Lefever	Sherman
Andrews	Davis	Lindsay	Shuit
Baker, B. F.	Deane	McCabe	Sipp
Baker, C. S.	Douglass	Mead	Sisson
Beach	Duell	Miller	Skinner
Beates	Duguid	Mitchell	Slingerland
Benedict, E. D.	Ellis	Mooers	Strait
Benedict, T. E.	Ferris	Morgan	Tallmadge
Bradley	Fish	Newman	Terry
Brennan	Gibbs	Nowlan	Titus
Bridges	Gillette	O'Brien	Tormey
Brodsky	Gorsline	Peck	Travis
Carpenter, I. S.	Gray	Phillips	Tully
Case	Griggs	Pitcher	Tuthill, H. H.
Chamberlain	Grosse	Potts	Tuttle, R. M.
Chickering	Hagan	Roberts	Van Valkenburgh
Clark	Hayes	Root	Waterbury
Clowes	Hoffman	Russell	Wells, D. A.
Comstock	Hurd	Sanders	Wells, J. L.
Congdon	Ingersoll	Seeley	Weston
Cookinham	Kennedy	Shanley	Wren
Crapser			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize Henry Fordham and George W. Tuttle to establish, maintain and operate a ferry across the Great South bay, in Suffolk county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{ AYES 48 }  
{ NOES 39 }

Those who voted in the affirmative, were

Andrews	Comstock	Hoffman	Root
Baker, B. F.	Cookinham	Ingersoll	Seeley
Baker, C. S.	Crapsier	Lefever	Shuit
Beates	Deane	Lindsay	Sipp
Bradley	Duell	Low	Sisson
Brennan	Ferris	McCabe	Slingerland
Brodsky	Fish	Mitchell	Strait
Carpenter, I. S.	Fiske	Mooers	Tuthill, H. H.
Chase	Gorsline	Morgan	Tuttle, R. M.
Chickering	Gray	Nowlan	Varnum
Clark	Griggs	Peck	Waterbury
Clowes	Hayes	Potts	Wells, J. L.

Those who voted in the negative, were

Alvord	Costello	Grosse	Roberts
Beach	Cullinan	Gwinup	Shanley
Benedict, E. D.	Curtis	McCarthy	Sherman
Benedict, T. E.	Cushing	McDonald	Skinner
Bennett	Davis	McTernan	Terpeny
Bridges	Dougherty	Miller	Thilemann
Case	Douglass	Newman	Treanor
Childs	Ellis	O'Connor	Tully
Clancy	Fitzgerald	Phillips	Walsh
Cohen	Gibbs	Rhodes	

Mr. Brodsky moved to reconsider the vote by which said bill was lost, and that said motion do lay upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Varnum introduced a bill entitled "An act relating to certain assessments for local improvements in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

On motion of Mr. Varnum, and by unanimous consent, said bill was ordered printed.

The bill entitled "An act to amend chapter 59 of the Laws of 1861, entitled 'An act to amend the charter of the Poughkeepsie and New Paltz Ferry Company,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Cohen	Hoffman	Sanders
Baker, B. F.	Comstock	Ingersoll	Seeley
Baker, C. S.	Congdon	Kennedy	Shanley
Beach	Cookinham	Lefever	Sherman
Beates	Costello	Lindsay	Shuit
Benedict, E. D.	Crapser	Low	Sipp
Benedict, T. E.	Curtis	McCabe	Sisson
Bradley	Davis	McTernan	Skinner
Brennan	Dougherty	Mead	Slingerland
Bridges	Douglass	Miller	Steele
Brodsky	Ellis	Mitchell	Strait
Bullock	Ferris	Mooers	Tallmadge
Carpenter, I. S.	Fish	Morgan	Terpeny
Case	Fiske	Nowlan	Travis
Catlin	Fitzgerald	O'Connor	Tully
Chamberlain	Gibbs	Peck	Tuthill, H. H.
Chase	Gorsline	Phillips	Tuttle, R. M.
Chickering	Gray	Pitcher	Van Valkenburgh
Childs	Griggs	Potts	Varnum
Clark	Groese	Root	Waterbury
Clowes	Hayes		

Those who voted in the negative, were

Gwinup                      Havens

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The hour of 2 having arrived, the House took a recess until 4 P. M.

#### FOUR O'CLOCK, P. M.

The House again met.

Mr. Speaker directed the Clerk to call the roll to ascertain if a quorum was present, and the following members answered to their names:

Alvord	Davis	Lindsay	Sherman
Baker, B. F.	Douglass	Low	Shuit
Beach	Duell	McTernan	Skinner
Beates	Ellis	Mitchell	Steele
Benedict, T. E.	Ferris	Mooers	Strait
Bradley	Fish	Morgan	Tallmadge
Brodsky	Fitzgerald	Newman	Terry
Bullock	Gibbs	Nowlan	Tormey
Carpenter, I. S.	Gorsline	O'Brien	Tozier
Chamberlain	Griggs	O'Connor	Travis
Childs	Gwinup	Pitcher	Tully
Cohen	Havens	Potter	Tuttle, R. M.
Comstock	Howland	Rhodes	Waterbury
Congdon	Hurd	Russell	Wells, D. A.
Cookinham	Ingersoll	Sanders	Wells, J. L.
Crapser	Kennedy	Shanley	Wren
Curtis	Lefever	Sheridan	Mr. Speaker
Cushing			

A quorum of members being present,

Mr. Speaker announced the special orders of the day, being the bills entitled as follows:

"An act to amend chapter 30 of the Laws of 1880, entitled 'An act to amend chapter 598 of the Laws of 1870, entitled 'An act to amend an act to incorporate the city of Troy, passed April 12, 1816, and the several acts amendatory thereof, and also to amend other acts relating to the city of Troy,' and supplemental thereto," passed February 27, 1880.

Senate, "An act concerning tramps."

"An act to prohibit the erection, construction, maintenance or operation of elevated railways or extensions thereof, in certain streets or avenues in the city of Brooklyn and county of Kings."

The House then resolved itself into a committee of the whole, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Alvord moved that the time of the session be extended until the special order under consideration be disposed of.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend chapter 30 of the Laws of 1880, entitled 'An act to amend chapter 598 of the Laws of 1870, entitled 'An act to amend an act to incorporate the city of Troy, passed April 12, 1816, and the several acts amendatory thereof, and also to amend other acts relating to the city of Troy,' and supplemental thereto," passed February 27, 1880.

Senate "An act concerning tramps."

"An act to prohibit the erection, construction, maintenance or operation of elevated railways or extensions thereof, in certain streets or avenues in the city of Brooklyn and county of Kings."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Terry, from said committee, reported progress on said bills, and asked and obtained leave to sit again.

Mr. Comstock moved to discharge the committee of the whole from the further consideration of the first named bill, and that said bill, with the amendments adopted in the committee of the whole, be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Alvord moved to discharge the committee of the whole from the further consideration of the second named bill, and that said bill be engrossed and ordered to a third reading.

After debate,

Mr. Alvord moved the previous question.

Mr. Speaker put the question, "Shall the main question now be put?" and it was determined in the affirmative.

{ AYES 57 }  
{ NOES 12 }

Those who voted in the affirmative, were

Alvord	Comstock	Ingersoll	Shuit
Andrews	Cookinham	Kennedy	Sipp
Baker, B. F.	Curtis	Lefever	Skinner
Baker, C. S.	Davis	Lindsay	Slingerland
Beach	Douglass	Low	Terpeny
Benedict, E. D.	Duell	Mitchell	Terry
Bradley	Ellis	Newman	Titus

Brennan	Fish	Nowlan	Travis
Bridges	Fiske	Pitcher	Tuthill, H. H.
Brodsky	Gillette	Potts	Tuttle, R. M.
Carpenter, I. S.	Gorsline	Root	Van Valkenburgh
Case	Gray	Sanders	Waterbury
Catlin	Hagan	Seeley	Wells, D. A.
Chickering	Howland	Sherman	Wells, J. L.
Olwes			

Those who voted in the negative, were

Bullock	Costello	Fitzgerald	Hoffman
Clancy	Cullinan	Grosse	McCarthy
Cohen	Cushing	Gwinup	McTernan

Mr. Speaker put the question whether the House would agree to order said bill to a third reading, and it was determined in the affirmative.

Mr. Tallmadge moved to discharge the committee of the whole from the further consideration of the last named bill, and that said bill be engrossed and ordered to a third reading.

Mr. Tallmadge moved the previous question.

Mr. Speaker put the question "Shall the main question now be put?" and it was determined in the affirmative.

{ AYES 54 }  
{ NOES 21 }

Those who voted in the affirmative, were

Alvord	Cookinham	Ingersoll	Seeley
Andrews	Cullinan	Kennedy	Sherman
Baker, B. L.	Curtis	Low	Shuit
Baker, C. S.	Davis	Miller	Skinner
Beach	Douglass	Mitchell	Tallmadge
Bradley	Duguid	Morgan	Terry
Brennan	Ferris	Nowlan	Titus
Bridges	Fish	Phillips	Tuthill, H. H.
Brodsky	Gillette	Pitcher	Tuttle, R. M.
Carpenter, I. S.	Gorsline	Potts	Van Valkenburgh
Case	Gray	Roberts	Varnum
Chamberlain	Griggs	Root	Waterbury
Childs	Grosse	Russell	Weston
Comstock	Hurd		

Those who voted in the negative, were

Cohen	Hagan	Newman	Terpeny
Costello	Hoffman	O'Connor	Thilemann
Dougherty	McCarthy	Rhodes	Treano
Fitzgerald	McDonald	Shanley	Tully
Gibbs	McTernan	Sheridan	Walsh
Gwinup			

Mr. Speaker put the question whether the House would agree to the motion to order said bill to a third reading, and it was determined in the affirmative.

*Ordered,* That said bill be engrossed for a third reading.

Mr. Rhodes moved to reconsider the vote by which the bill entitled "An act to incorporate the city of Troy" was passed, and that the motion do lay upon the table.

Mr. Speaker put the question whether the House would agree to lay said motion on the table, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the negative.

By unanimous consent,

Mr. Travis offered the following resolution :

*Resolved*, That Senate bill No. 259, substituted for Assembly bill general orders No. 753, entitled "An act in regard to markets in the city of New York, and to provide for the rebuilding of the same and the acquisition of land for market purposes," be considered to-morrow morning in the same committee which has in charge the two special orders for to-morrow morning.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

A message from the Senate was received and read, informing of concurrence in the passage of the following resolution :

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor for the return for amendment of Assembly bill (printed No. 70) entitled "An act to ascertain the citizens of the various towns of Kings county who shall be entitled to the right of suffrage therein."

*Ordered*, That the Clerk deliver said resolution to the Governor.

On motion of Mr. Hayes, and at 6 o'clock and 15 minutes, the House adjourned.

## THURSDAY MORNING, APRIL 8, 1880.

The House met pursuant to adjournment.

Prayer by Rev. J. B. Wasson, of Troy.

The journal of yesterday was read and approved.

The Senate sent for concurrence the bills entitled as follows :

"An act to amend chapter 29 of the Laws of 1864, entitled 'An act to limit the term of office of notaries public,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 29 of the Laws of 1864, entitled 'An act to limit the term of office of notaries public,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Speaker announced the special order of the day, being the bills entitled as follows :

"An act to amend section 2 of title 1 of chapter 13 of part 1 of the Revised Statutes."

"An act to amend chapter 37 of the Laws of 1855, entitled 'An act amendatory of the acts for the assessment and collection of taxes.' "

Senate, "An act in regard to markets in the city of New York, and to provide for the rebuilding of the same and the acquisition of land for market purposes."

The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act to amend chapter 37 of the Laws of 1855, entitled 'An act amendatory of the acts for the assessment and collection of taxes.'"

"An act to amend section 2 of title 1 of chapter 13 of part 1 of the Revised Statutes."

"An act in regard to markets in the city of New York, and to provide for the rebuilding of the same and the acquisition of land for market purposes."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Fish, from said committee, reported in favor of the passage of the first named bill with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Fish, from said committee, also reported in favor of the passage of the second named bill with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Fish, from said committee, also reported in favor of the passage of the last named bill, with amendments.

Mr. Cohen moved to disagree with said report, and that said bill be recommitted to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Hagan moved to recommit said bill to the committee on affairs of cities, for amendment.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said report, and it was determined in the affirmative.

*Ordered*, That said bill be engrossed for a third reading.

The Senate returned Assembly bill entitled "An act conferring upon the Board of Canal Appraisers the power to allow amendments to claims," with a message that they have agreed to the report of the committee of conference, in words following :

*To the Legislature :*

Your committee of conference, to which was referred the matters of difference between the two Houses upon Assembly bill No. 5, entitled "An act conferring upon the Board of Canal Appraisers the power to allow amendments to claims," respectfully report that they met and have duly considered such matters of difference, and have agreed to recommend that the words "or hereafter" be inserted after the word "now," in the third line of the first section of the engrossed bill; and that the words "section two" be inserted after the words "provisions of," in the last line of section 1 of the engrossed bill; and that the bill be passed as so amended.

ISAAC V. BAKER, JR.,

EDMUND L. PITTS,

*Senate Committee.*

GEO. L. TERRY,

H. J. HURD,

THOS. VAN VALKENBURGH,

C. A. CHICKERING,

LAMOTT W. RHODES,

*Assembly Committee.*

Mr. Speaker put the question whether the House would agree to said conference committee report, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.



{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Deane	Husted	Pitcher
Andrews	Dougherty	Ingersoll	Potter
Beach	Douglass	Kennedy	Roberts
Benedict, T. E.	Duell	Lefever	Root
Bradley	Duguid	Lindsay	Seeley
Brennan	Ellis	Low	Sheridan
Brodsky	Evans	McAvoy	Sherman
Bullock	Ferris	McCabe	Shuit
Carpenter, I. S.	Fish	McCarthy	Slingerland
Case	Kiske	McTernan	Strait
Catlin	Fitzgerald	Mead	Terpeny
Chamberlain	Gillette	Miller	Terry
Chickering	Gorsline	Mitchell	Travis
Childs	Gray	Mooers	Tully
Clancy	Gwinup	Morgan	Tuthill, H. H.
Clowes	Hagan	Newman	Tuttle, R. M.
Comstock	Havens	Nowlan	Van Valkenburgh
Cookinham	Hayes	O'Brien	Waterbury
Costello	Hoffman	O'Connor	Wells, D. A.
Cullinan	Howland	Phillips	Weston
Curtis	Hurd		

*Ordered*, That the Clerk deliver said bill to the Governor.

Mr. Titus, from the sub-committee of the whole, presented a report, which was laid on the table and ordered printed.

(See Doc. No. 110.)

By unanimous consent,

Mr. Chickering offered for the consideration of the House a resolution in the words following:

*Resolved*, That hereafter the morning sessions of this House will commence at 10 o'clock.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. E. D. Benedict offered for the consideration of the House a resolution in the words following:

*Resolved*, That the Superintendent of the Insurance Department be requested to inform the Assembly why the Universal Life Insurance Company has not made its annual report for 1879, and what information, if any, exists in said department showing the present financial condition of that company.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Bradley, from the committee on State charitable institutions, to which was referred the bill introduced by Mr. Cookinham (introductory No. 968), entitled "An act to create a board of charities in the several counties of this State," reported said bill for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Bradley, from the committee on State charitable institutions,

to which was referred the Senate bill (introductory No. 321), entitled "An act to provide for the reporting of appointments or commitments to the benevolent institutions of this State," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Tozier, from the committee on general laws, to which was referred the bill introduced by Mr. Gillette (introductory No. 991), entitled "An act authorizing the exemption from local taxation of the property of persons, corporations and joint-stock companies about to establish a business of manufacturing in any city of this State having a population of less than three hundred thousand, according to the last census, or in any incorporated village, or in any town of this State," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Tozier, from the committee on general laws, to which was referred the bill introduced by Mr. Gillette (introductory No. 985), entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Tozier, from the committee on general laws, to which was referred the Senate bill (introductory No. 169), entitled "An act to incorporate the Mænner Gesang Verein-Eichenkranz," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Weston, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Clowes (introductory No. 483), entitled "An act to alter the system of working and repairing the highways of the town of Newton, in Queens county, and to reduce the expenses of said town," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Weston, from the committee on roads and bridges, to which was referred the Senate bill (introductory No. 323), entitled "An act to amend chapter 227 of the Laws of 1872, entitled 'An act to amend an act passed May 9, 1868, entitled 'An act to amend section 3 of chapter 817 of the Laws of 1866, entitled 'An act to lay out and construct a road from the river road, in township No. 14 in the town of Johnsburgh, to the Carthage road near the head of Long lake, in the county of Hamilton,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Weston, from the committee on roads and bridges, to which was referred the Senate bill (introductory No. 335), entitled "An act to authorize and direct the commissioners of highways of the town

of Kinderhook to protect and secure a certain highway in said town against the encroachments of the Kinderhook creek," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Weston, from the committee on roads and bridges, to which was referred the Senate bill (introductory No. 381), entitled "An act to amend chapter 559 of the Laws of 1874, entitled 'An act to incorporate the Grand Island Bridge Company,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Sherman, from the committee on public education, to which was referred the bill introduced by Mr. Case (introductory No. 921), entitled "An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Sherman, from the committee on public education, to which was referred the bill introduced by Mr. Mitchell (introductory No. 822), entitled "An act to authorize the board of education of the city of New York to exchange lands used for school purposes in said city," reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Sherman, from the committee on public education, to which was referred the Senate bill (introductory No. 370), entitled "An act concerning the grounds, buildings and property of the State provided for normal schools, the custody, protection and preservation of the same, and the powers of the board in relation thereto," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Duguid, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Walsh (introductory No. 131), entitled "An act to provide for the further security and safety of passengers while traveling on the ferryboats plying to and from the city and county of New York," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Duguid, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Strait (introductory No. 699), entitled "An act amending an act entitled 'An act authorizing the construction of a bridge across the Hudson river at Albany,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Duguid, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Shanley (introductory No. 910), entitled "An act to amend chapter 945 of the Laws of 1867, entitled 'An act to regulate the use of certain piers, slips and wharves on the East river in the city of New York,'" reported said bill for the

consideration of the House by substitute, and the title amended so as to read as follows: "An act to regulate the use of a certain pier and slip on the East river in the city of New York," which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Miller offered for the consideration of the House a privileged resolution in the words following:

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor for the return of Assembly bill No. 116, general orders No. 122, entitled "An act to amend chapter 435 of the Laws of 1868, entitled 'An act to incorporate the village of Hamilton, in the county of Madison, and to repeal its present charter,' as amended by chapter 166 of the Laws of 1877, and by chapter 19 of the Laws of 1878."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Miller offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That 500 extra copies of the report of the New York State Cattle Commission of 1879 be printed for the use of said commission.

*Ordered*, That said resolution be referred to the committee on public printing.

By unanimous consent,

Mr. Gray introduced a bill entitled "An act to regulate the dimensions and measurement of apple barrels," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

By unanimous consent,

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Bridges (introductory No. 883), entitled "An act to amend chapter 431 of the Laws of 1879, entitled 'An act requiring the commissioners of the town of Unadilla, in the county of Otsego, to pay over the surplus moneys, as securities in their hands, to the county treasurer, to be used for the payment of taxes against said town,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Weston (introductory No. 999), entitled "An act to legalize and confirm the action of the electors of the town of Wilmington, in the county of Essex," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. McCarthy (introductory No. 934), entitled "An act to incorporate the Robert Emmet Philo-Celtic Literary Society in the city of New York," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Mitchell (introductory No. 565), entitled "An act to divide the seventh judicial district of the city of New York and to create a new judicial district therefrom," reported said bill for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Tuthill (introductory No. 932), entitled "An act for the protection of corporations organized for generating and distributing steam for heating and other purposes," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Tormey (introductory No. 292), entitled "An act to amend an act entitled 'An act in relation to wills,' passed April 23, 1864," reported said bill for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Terry (introductory No. 970), entitled "An act to amend chapter 702 of the Laws of 1871, entitled 'An act relative to contracts for advertisements in newspapers published on Sunday,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Fiske (introductory No. 955), entitled "An act to authorize and direct the county clerk of Richmond county to record certain papers now on file in the Richmond county clerk's office," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. B. F. Baker (introductory No. 971), entitled "An act to facilitate the collection of judgments," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Potts (introductory No. 647), entitled "An act to exempt the county of Sullivan from so much of the provisions of chapter 20 of part 17, title 1 of the Revised Statutes, as provides for the appointment of poor-house keepers," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Mitchell (introductory No. 951),

entitled "An act to amend an act entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed February 17, 1848, and for other purposes," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 147), entitled "An act to extend the authority of the Supreme Court in proceedings by writ of mandamus, to correct errors in the determination of boards of county canvassers," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Grosse (introductory No. 39), entitled "An act to prescribe qualifications for the offices of notary public and commissioner of deeds," reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Griggs (introductory No. 831), entitled "An act to amend an act relating to courts, officers of justice and civil proceedings, passed June 2, 1876," reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Morgan (introductory No. 364), entitled "An act to amend chapter 14, title 1, section 24 of the Revised Statutes," reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Sheridan (introductory No. 187), entitled "An act to limit the power of grand juries, and to regulate the findings of judgments in certain cases," reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. J. L. Wells (introductory No. 224), entitled "An act in relation to filing notes of issue and to prohibit the clerks of courts and counties from charging any fee therefor," reported adversely thereto.

On motion of Mr. Brodsky, said report was laid on the table.

By unanimous consent,

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Strait (introductory No. 692), entitled "An act to amend section 3, title 17, chapter 20, part 1 of the Revised Statutes," reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Varnum (introductory No. 863), entitled "An act to protect the rights of citizens of this State owning and holding claims against other States," reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Wiley (introductory No. 868), entitled "An act to amend section 139 of article 4, chapter 1 of part 2 of the Revised Statutes, relating to remedies of mortgagees," reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Bradley (introductory No. 823), entitled "An act to impose a license fee on the introduction into the Legislature of certain private and local bills," reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Steele introduced a bill entitled "An act to confirm the election of village trustees in certain cases, and to provide for and determine by lot their respective terms of office," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

By unanimous consent,

Mr. C. S. Baker, from the committee on insurance, to which was recommitted the bill introduced by Mr. Steele (introductory No. 681), entitled "An act to limit insurance on buildings by fire insurance companies, and to prevent fraudulent fires," reported in favor of the passage of the same as amended, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. McCarthy offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 517, general orders No. 592, entitled "An act to authorize and direct the Comptroller of the city of New York to pay the salary of James E. McVeany as one of the assistant aldermen of the city of New York," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. E. A. Carpenter introduced a bill entitled "An act to repeal chapter 306 of the Laws of 1866, entitled 'An act for the protection of the planting of oysters in the towns of Islip and Huntington, county of Suffolk, New York,' and chapter 666 of the Laws of 1872, amendatory of said act so far as said acts may be applicable to the present town of Huntington in said county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

The Private Secretary of the Governor appeared before the bar of the House and presented a message in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, April 8, 1880. }

*To the Assembly:*

Assembly bill No. 13, entitled "An act to provide for the appointment of additional notaries public," is herewith returned without approval.

Existing laws provide for the appointment of 11,674 of these officers

in the State, being an average of 91 for each Assembly district, which, in my opinion, is more than sufficient for the convenience of the people.

It is impossible even now to give adequate attention to the fitness and qualifications of persons proposed for appointment as notaries public, and it is my belief that the number should be diminished rather than increased.

#### ALONZO B. CORNELL.

Mr. C. S. Baker moved that said bill with message do lay upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate sent for concurrence the following resolution:

*Resolved* (if the Assembly concur), That a respectful message be sent to His Excellency the Governor, requesting him to return to the Senate, Senate bill No. 40, entitled "An act to authorize the construction of a bridge over the Erie canal at Tonawanda," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk return said resolution to the Senate with a message informing of concurrence therein.

The Senate returned the bill entitled "An act making an appropriation to continue the work on the New Capitol building," with a message that they have concurred in the amendments of the Assembly thereto.

*Ordered*, That the Clerk return said bill to the Senate.

Mr. Husted called for the reading of Assembly bill No. 460, entitled "An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations."

Said bill being announced for a third reading.

Mr. Brennan moved to recommit said bill to the committee on ways and means, with instructions to amend said bill in words following, and report forthwith:

Strike out the following in lines 167 to 178, inclusive:

"For payment of awards made by the board of audit, the sum of \$150,586.90, or as much thereof as may be necessary, as follows: For Francis Swift, \$39,375.12, and for interest thereon, \$2,362.50; for Charles A. Danolds, \$65,000, and for interest thereon, \$3,900; for George Worthington, \$25,000, and for interest thereon, \$1,500; for Timothy J. Sullivan, \$8,346.18; for the county Erie, \$2,500, and for Allen Rutherford, \$2,603.10."

Strike out the following in lines 221 to 222, inclusive:

"For the Comptroller, for the purchase of the bronze statue of Robert R. Livingston, now in the Capitol, \$5,000."

Strike out the following in lines 523 to line 527, inclusive:

"For the support and maintenance of juvenile delinquents at the protectory of the society for the protection of destitute Roman Catholic children, of the city of Buffalo, the sum of \$12,500.

"For the support and maintenance of juvenile delinquents, at the New York Catholic Protectory, \$50,000."

The hour of 2 having arrived, the House took a recess until 4 P. M.



## FOUR O'CLOCK, P. M.

The House again met.

Mr. Husted offered for the consideration of the House the following privileged resolution :

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor, requesting the return of bill No. 158, entitled "An act making appropriations for the support of government," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Weston, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Comstock (introductory No. 597), entitled "An act in relation to the Colhoes and Lansingburg Bridge Company," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

The Senate sent for concurrence the bill entitled "An act to amend section 1039 of the Code of Civil Procedure," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Griggs, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costello	Husted	Sheridan
Andrews	Crapser	Ingersoll	Sherman
Baker, B. F.	Cullinar	Kennedy	Shuit
Baker, C. S.	Curtis	Lefever	Skinner
Beates	Davis	Liddle	Slingerland
Benedict, E. D.	Deane	Lindsay	Strait
Benedict, T. E.	Douglass	Low	Tallmadge
Bradley	Duell	McAvoy	Terpen
Brennan	Duguid	McTernan	Terry
Bridges	Evans	Mooers	Thilemann
Brodsky	Fish	Morgan	Titus
Carpenter, I. S.	Fitzgerald	Newman	Torney
Case	Gibbs	Nowlan	Travis
Catlin	Gillette	O'Brien	Treanor
Chamberlain	Gorsline	O'Connor	Tully
Chase	Gray	Parker	Varnum
Childs	Griggs	Phillips	Walsh
Clancy	Hagan	Pitcher	Wells, J. L.
Cohen	Havens	Potts	Weston
Comstoek	Hayes	Rhodes	Wiley
Congdon	Hoffman	Root	Mr. Speaker
Cookinham	Howland		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence therein.

By unanimous consent,

Mr. Curtis, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Mitchell (introductory No. 946), entitled "An act to amend an act entitled 'An act to incorporate the Board of Home Missions of the Presbyterian Church in the United States of America, and to enable the Presbyterian Board of Home Missions, formerly the Presbyterian Committee of Home Missions, to transfer its property to said new corporation, and to vest in such new corporation the corporate rights, franchises and privileges of the former body; and also to enable said new corporation to accept a transfer of the property of the trustees of the Board of Domestic Missions of the General Assembly of the Presbyterian Church in the United States of America, and to become the legal successors of the said last-mentioned corporation,' passed April 19, 1872," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Curtis, from the committee on charitable and religious societies, to which was referred the Senate bill (introductory No. 168), entitled "An act to incorporate the Temple Beth Zion of Buffalo, New York," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Curtis, from the committee on charitable and religious societies, to which was referred the Senate bill (introductory No. 504), entitled "An act to authorize the supervisor of the town of Attica, in Wyoming county, to purchase lots of the Attica Cemetery Association, and to remove to and reinter therein the bodies now remaining in the old burial ground in the village of Attica; to sell said old burial ground, and defray the expenses of removing the bodies therefrom, and reintering the same in new grounds," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Travis offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 399, general orders No. 435, entitled "An act to amend chapter 245 of the Laws of 1878, entitled 'An act to amend article 5 of title 1, chapter 16 of part 1 of the Revised Statutes as to highways,'" be recommitted to the committee on roads and bridges for hearing, retaining its position in the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Russell offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee of the whole be discharged from the further consideration of Senate bill entitled "An act to authorize and direct the board of supervisors of Kings county to make suitable provisions to reimburse Walter L. Livingston for all legitimate costs, counsel fees and expenses which have been incurred by him in and about a certain action of quo warranto brought against him to oust him from the office of surrogate of the county of Kings," and that said bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The House then resumed the consideration of Assembly bill entitled "An act making appropriations for certain expenses of government, and supplying deficiencies in former appropriations."

Mr. Speaker stated the pending question to be on the amendments offered by Mr. Brennan.

Mr. Cullinan moved to further instruct said committee in words following:

Page 10, after line 300, insert the following:

"But no part of the sum hereby appropriated shall be expended until the work contemplated shall be considered by the State Engineer and Surveyor and the Superintendent of Public Works, and their concurrent opinion in writing filed with the Canal Board, that such improvement will not have the effect of impairing the efficiency or value of the water power on said Seneca river or on the Oswego river below the junction of the said rivers, so as to render the State liable for damages, or to diminish the supply of water in the said Oswego or Seneca rivers, necessary for the due navigation of the canals of this State."

The hour of 6 having arrived the House adjourned until to-morrow morning at 10 o'clock.

## FRIDAY MORNING, APRIL 9, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Joseph H. Morgan.

The journal of yesterday was read and approved.

On motion of Mr. Skinner, the privileges of the floor were granted to Mr. T. B. Canfield.

Mr. Titus presented a report of the sub-committee of the whole; which was laid on the table and ordered printed.

(See Doc. No. 111.)

By unanimous consent,

On motion of Mr. Curtis bill No. 603, entitled "An act to provide for the election of a board of directors of the New York and Oswego Midland Railroad Company, and to compel the delivery of the stock, books and papers relating to the stock of the said company, to the officers of the said company," was ordered to a third reading.

By unanimous consent,

On motion of Mr. Weston bill No. 999, entitled "An act to legalize and confirm the action of the electors of the town of Wilmington, in the county of Essex," was ordered to a third reading.

By unanimous consent,

On motion of Mr. Varnum the sub-committee of the whole was discharged from the further consideration of Senate bill No. 32, entitled "An act in relation to the payment of assessments for local improvements in the city of New York," and the same was ordered to a third reading.

By unanimous consent,

Mr. Congdon introduced a bill entitled "An act to amend an act entitled 'An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State,'" known as the Code of Pro-

cedure, which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. O'Brien introduced a bill entitled "An act to authorize the city of Buffalo to issue its bonds, payable not more than forty years after the date of issue, and bearing interest at a rate not exceeding five per centum per annum, to the extent of one million dollars, for the purpose of providing money to pay for constructing a sewer from the end of the mill race sewer, at or near Hamburg street, to a point on the Niagara river below the Water Works tunnel, as the common council of said city of Buffalo may direct," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Sipp introduced a bill entitled "An act to amend section 3 of chapter 280 of the Laws of 1845, entitled 'An act for the publication of the Session Laws in two newspapers in each county of this State,'" as said section is amended by chapter 215 of the Laws of 1870, which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Sipp introduced a bill entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

By unanimous consent,

Mr. Russell (by request) introduced a bill entitled "An act to amend 'An act relating to courts, officers of justice, and civil proceedings,'" passed June 2, 1876, which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Kennedy introduced a bill entitled "An act for the protection of agents, factors, brokers and commission merchants," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Cohen introduced a bill entitled "An act to incorporate the Friendship Association of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. O'Connor introduced a bill entitled "An act to incorporate the Empire Yacht Club of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

By unanimous consent,

Mr. McAvoy introduced a bill entitled "An act to alter the map or plan of the city of New York, by providing for the reopening, extension and opening of a part of Bloomingdale road," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Varnum introduced a bill entitled "An act authorizing the purchase of land in the city of New York for the purposes of the National Guard," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

By unanimous consent,

Mr. Cullinan introduced a bill entitled "An act to amend chapter 78 of the Laws of 1870, entitled 'An act to amend an act entitled 'An act requiring compensation for causing death by wrongful act, neglect or default,' passed December 13, 1847," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Nowlan introduced a bill entitled "An act amending the act of incorporation of the Fire Department of the village of Owego, passed April 17, 1862," which was read the first time, and by unanimous consent was also read the second time and referred to the committee on affairs of villages. Accompanied by petition.

By unanimous consent,

Mr. Bradley introduced a bill entitled "An act to confirm the vote to raise money for sprinkling the streets of the village of Greenburgh," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

By unanimous consent,

Mr. Bradley introduced a bill entitled "An act to re-enact and amend the charter of the city of Yonkers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Potter introduced a bill entitled "An act to amend an act entitled 'An act to amend the charter of the village of Saratoga Springs,' passed March 26, 1866, and the act amendatory thereof, passed May 17, 1872, three-fifths being present," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

The Senate returned Assembly resolution asking the Governor to return Assembly bill entitled "An act making appropriations for the support of government," for amendment, with a message that they have concurred in the same.

*Ordered*, That the Clerk deliver said resolution to the Governor.

Mr. Bradley offered for the consideration of the House a resolution in the words following:

*Resolved*, That when this House adjourns to-day, it will adjourn to meet on Monday evening at 8 o'clock.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Slingerland (introductory No. 660), entitled "An act to authorize the erection of a public building in the city of Albany," etc., reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Slingerland, and by unanimous consent, said bill was ordered to a third reading.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Terpeny (introductory No. 850), entitled "An act in relation to the opening, regulating and grading of 126th and 127th streets, east of Second avenue, in the city of New York," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred Senate bill (introductory No. 125), entitled "An act to change the name of and in relation to the Association for Befriending Children," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Gray (introductory No. 1010), entitled "An act to regulate the dimensions and measurement of apple barrels," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on cities, reports the following:

*Whereas*, It appears from the report of the comptroller of the city of New York, to the committee on affairs of cities, annexed hereto and marked "Schedule A," that the city of New York pays annually the enormous sum of \$996,740 for special contributions to private charitable institutions, which expenditure is made under and by virtue of acts passed by the Legislature from time to time, and it also appears that a further sum of \$366,000 is distributed among such institutions from the excise funds of said city; and

*Whereas*, An additional sum of more than \$1,300,000 is paid by said city for the support of its public charitable institutions, making a total expenditure for charities, in New York city, of about \$2,600,000 per annum; and

*Whereas*, The appropriations, first above referred to, vary greatly in amount, and in rate *per capita* to the several institutions, and are made upon no systematical or correct principle or plan; and

*Whereas*, It is claimed that some of the institutions sharing in this distribution of public funds are unworthy of such assistance, and that other more deserving charitable associations are excluded from participation in such distribution; and

*Whereas*, The large expenditure of public moneys for these purposes is a heavy tax upon the city of New York, and it seems proper that some limit should be put upon the amount of such expenditure, that some rule should be laid down to govern future appropriations, and that the distribution should be regulated upon some fixed principle, and in some more intelligent manner than at present; and

*Whereas*, It is impossible for the Assembly, at this late stage of the session, to make a careful and intelligent investigation of the subject; now, therefore, be it

*Resolved*, That the State Board of Charities be, and they are hereby, requested and instructed to examine into the whole question of the appropriations aforesaid, their propriety, proper amount, distribution and limitation, and that they report the result of their investigation, with their recommendations upon the subject, to the Assembly of 1881.

## SCHEDULE A.

(TO RESOLUTION OF COMMITTEE ON CITIES.)

Statement showing the estimated amount to be paid by the city of New York, under special acts of the Legislature, to asylums, reformatories and charitable institutions, for the support and maintenance of inmates in the year 1880.

PAID FROM TAXATION.

NAME OF INSTITUTION.	Religious denomination controlling.	Class of inmates.	No. of each class.	Allowance per capita.	Acts of the Legislature.	Amount of appropriation.
Asylum for Idiots	State	Idiots	25	\$24 00	Chap. 739, 1857	\$1,048 00
American Female Guardian Society	Protestant	Homeless girls	Bulk	appropriat <sup>n</sup>	Chap. 764, 1872	25,000 00
Children's Aid Society	Protestant	Children	do	do	Chap. 70, 1846	70,000 00
					183, 1867	
					180, 1871	
Children's Fold	Protestant	Children	80	\$104 00	Chap. 504, 1874	8,320 00
Foundling Asylum	Catholic	Babies	1,575	120 08	Chap. 635, 1872	288,491 00
		Nursing mothers	80	216 00	Chap. 644, 1874	
					43, 1877	
Hebrew Benevolent Orphan Asylum Society	Hebrew	Children	315	110 00	Chap. 230, 1874	34,650 00
Hudson River State Hospital	State	Insane persons	4	224 00	Chap. 446, 1874	1,223 86
Institution for Improved Instruction of Deaf Mutes	Hebrew	County pupils	35	300 00	Chap. 735, 1867	
		State pupils	15	cloth'g 30 00	Chap. 180, 1870	10,800 00
					213, 1875	
Institution for the Blind	Protestant	Mixed	110	50 00	Chap. 166, 1870	5,500 00
Le Couteur St. Mary, Buffalo Inst. Deaf and Dumb	Catholic	County pupils	1	275 00	Chap. 548, 1871	305 00
New York Catholic Protectory	Catholic	State pupils	1	30 00	Chap. 647, 1868	
		Children	2,160	110 00	Chap. 653, 1867	238,500 00
New York Infant Asylum	Protestant	Babies	218	120 08	Chap. 263, 1872	
		Nursing mothers	63	218 08	218, 1876	45,646 80
		Obstetric cases	96	25 00	90, 1877	
		Nursing mothers	3	216 00		
		Obstetric cases	96	25 00	Chap. 101, 1877	2,598 00
		County pupils	96	300 00	Chap. 385, 1863	
		State pupils	151	30 00	218, 1874	38,420 00
					218, 1875	
		Children	800	110 00	Chap. 245, 1866	86,000 00
		Girls 14 to 21 years	25	110 00	Chap. 404, 1867	2,760 00
		Children	178	150 00	Chap. 638, 1872	30,700 00
		Insane Persons	2	940 00	Chap. 136, 1843	480 00
		Children	520	120 00	Chap. 650, 1866	
		Nursing mothers	170	200 00	Chap. 648, 1867	110,200 00
					408, 1867	
Protestant Episcopal House of Mercy	Protestant	Girls 14 to 21 years	30	110 00	Chap. 406, 1867	3,200 00
Roman Catholic House of the Good Shepherd	Catholic	Girls 14 to 31 years	116	110 00	Chap. 406, 1867	12,760 00

## SCHEDULE A—(Continued.)

NAME OF INSTITUTION.	Religious denominat- ion controlling.	Class of inmates.	No. of each class.	Allowance per capita.	Acts of the Legislature.	Amount of approp- riation.
St. Joseph's Improved Inst. for Instruction of Deaf Mutes.....	Catholio...	County pupils.....	60	\$300 00	Chap. 213, 1875 }	\$18,720 00
Shepherd's Fold.....	Protestant.	State pupils.....	24	80 00	Chap. 378, 1877 }	6,000 00
State Asylum for Insane Criminals at Auburn.....	State.	Insane criminals.....	Bulk	appropriat'n	Chap. 289, 1871...	1,166 00
State Homoeopathic Asylum for Insane.....	State.	Insane persons.....	5	238 00	Chap. 886, 1869...	2,383 75
Union Home and School for Children of Volunteer Soldiers.....	Protestant.	Children.....	7	230 00	Chap. 446, 1874...	13,500 00
			90	150 00	Chap. 888, 1870 }	
					143, 1873 }	
						\$986,740 41

## PAID FROM EXCISE FUND.

NAME OF INSTITUTION.	Religious denominat- ion controlling.	Class of inmates.	No. of in- mates.	Allowance per capita.	Acts of the Legislature.	Estimated amount.
American Female Guardian Society.....	Protestant.	Children.....	65	\$104 00	Chap. 404, 1878..	\$10,000 00
Asylum of the Sisters of St. Dominic.....	Catholio...	Children.....	233	104 00	Chap. 404, 1878..	26,000 00
Home for Fallen and Friendless Girls.....	Protestant.	Homeless Girls.....	88	150 00	Chap. 388, 1873..	5,000 00
Hebrew Sheltering Guardian Society.....	Hebrew	Children.....	168	104 00	Chap. 404, 1878..	12,000 00
Institution of Mercy.....	Catholio	Children.....	912	104 00	Chap. 404, 1878..	98,000 00
Ladies' Deborah Nursery and Child's Protectory.....	Hebrew	Children.....	175	104 00	Chap. 404, 1878..	20,000 00
Mission of the Immaculate Virgin.....	Catholio	Children.....	49	104 00	Chap. 404, 1878..	5,000 00
St. James' Home.....	Catholio	Children.....	245	104 00	Chap. 404, 1878..	26,000 00
St. Joseph's Asylum.....	Catholio	Children.....	45	104 00	Chap. 404, 1878..	6,000 00
St. Stephen's Home.....	Catholio	Children.....	84	104 00	Chap. 404, 1878..	12,000 00
			130	104 00	Chap. 404, 1878..	16,000 00
						\$241,000 00
Estimated amount of donations in 1880 to charitable and benevo- lent societies, under chapter 221, Laws of 1875. ....						
Total from Excise Fund.....						
Total from taxation.....						
						\$986,740 41



Said resolution giving rise to debate,

*Ordered*, That the same be laid upon the table.

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Liddle (introductory No. 933), entitled "An act to repeal chapter 281 of the Laws of 1876, entitled 'An act to amend an act entitled 'An act to provide for a supply of water in the village of Cohoes,'" and also section 2 of chapter 275 of the Laws of 1870, entitled "An act to amend an act entitled 'An act to provide for a supply of water in the village of Cohoes,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Bullock (introductory No. 776), entitled "An act to amend chapter 70 of the Laws of 1858, entitled 'An act to incorporate the village of Olean, in the county of Cattaraugus,' and of the several acts amendatory thereof," reported in favor of the passage of the same with amendments, and with the title amended, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Tuttle (introductory No. 858), entitled "An act to amend chapter 426 of the Laws of 1847, entitled 'An act to provide for the incorporation of villages,' so far as the same relates to the village of Corning, in the county of Steuben," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Sharpe (introductory No. 1004), entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

The House then resumed the consideration of the bill entitled "An act, making appropriations for certain expenses of government, and supplying deficiencies in former appropriations."

Mr. Speaker stated the question to be on the motion of Mr. Brennan, to recommit said bill to the committee on ways and means, with instructions to strike out lines 167 to 178, inclusive, as follows:

"For payment of awards made by the board of audit, the sum of \$150,586.90, or so much thereof as may be necessary, as follows: For Francis Swift, \$39,375.12, and for interest thereon, \$2,362.50; for Charles A. Danolds, \$65,000, and for interest thereon, \$3,900; for George Worthington, \$25,000, and for interest thereon, \$1,500; for Timothy J. Sullivan, \$8,346.18; for the county Erie, \$2,500, and for Allen Rutherford, \$2,603.10.

"For the Comptroller, for the purchase of the bronze statue of Robert R. Livingston, now in the Capitol, \$5,000.

"For the support and maintenance of juvenile delinquents at the protectory of the Society for the Protection of Destitute Roman Catholic Children of the city of Buffalo, the sum of \$12,500.

"For the support and maintenance of juvenile delinquents at the New York Catholic Protectory, \$30,000."

And also the motion of Mr. Cullinan, to further instruct the committee to report as follows:

Insert on page 10, line 300, the following:

"But no part of the sum hereby appropriated shall be expended until the work contemplated shall be considered by the State Engineer and Surveyor and the Superintendent of Public Works, and their concurrent opinion in writing filed with the Canal Board, that such improvement will not have the effect of impairing the efficiency or value of the water power on said Seneca river, or on the Oswego river, below the junction of the said rivers, so as to render the State liable for damages, or to diminish the supply of water in the said Oswego or Seneca rivers necessary for the due navigation of the canals of this State."

Mr. Brennan moved to amend the amendment offered by him as follows :

1. Beginning with the word "for," in the 169th line, strike out all relating to the claim of Francis Swift, down to the word "cents" in the 172d line.

2. Beginning with the word "for," in the 172d line, strike out all relating to the claim of Charles A. Danolds, down to and including the word "dollars" in the 173d line.

3. Beginning with the word "for," in the 173d line, strike out all relating to the claim of George Worthington, down to and including the word "dollars" in the 175th line.

4. Beginning with the word "for," in the 175th line, strike out all down to the word "cents," in the 176th line, relating to the claim of Timothy J. Sullivan.

5. Beginning with the word "for," in the 176th line, strike out all relating to the claim of the county of Erie, down to the word "dollars" in the 177th line.

6. Beginning with the word "and," in the 177th line, strike out all relating to the claim of Allen Rutherford, down to the word "cents" in the 178th line.

7. Strike out lines 221 to 222, inclusive, relating to the purchase of the statue of Livingston.

8. Strike out lines 523 to lines 527, inclusive, relating to the support of juvenile delinquents at the Catholic Protectory in the city of Buffalo, and the Catholic Protectory in the county of Westchester.

After debate,

Mr. Husted moved the previous question.

Mr. Speaker put the question, "Shall the main question now be put?" and it was determined in the affirmative.

The question being upon the amendment of Mr. Brennan, and a division being called for,

Mr. Speaker put the question whether the House would agree to the first subdivision of the amendment of Mr. Brennan, as follows: "For Francis Swift, \$39,375.12, and for interest thereon, \$2,362.50," and it was determined in the negative.

{ AYES 53 }  
{ NOES 61 }

Those who voted in the affirmative, were

Baker, B. F.	Cookinham	Gwinup	Sanders
Beach	Cullinan	Havens	Seeley
Benedict, T. E.	Curtis	Howland	Sherman
Bradley	Davis	Kennedy	Sipp
Brennan	Douglass	Low	Skinner
Bridges	Duell	McCabe	Slingerland

Bullock	Duguid	Miller	Steele
Carpenter, E. A.	Ellis	Mitchell	Strait
Case	Evans	Morgan	Tozier
Chamberlain	Fish	Parker	Tuttle, R. M.
Chickering	Gorsline	Peck	Van Valkenburgh
Childs	Gray	Root	Varnum
Clowes	Grosse	Russell	Weston
Congdon			

Those who voted in the negative, were

Alvord	Dougherty	McDonald	Sheridan
Andrews	Ferris	McTernan	Shuit
Baker, C. S.	Fiske	Mead	Sisson
Beates	Fitzgerald	Mooers	Tallmadge
Benedict, E. D.	Gibbs	Newman	Terpeny
Bennett	Griggs	Nowlan	Terry
Brodsky	Hagan	O'Brien	Thilemann
Catlin	Hayes	O'Connor	Titus
Chase	Hurd	Phillips	Tormey
Clancy	Husted	Pitcher	Travis
Clark	Ingersoll	Potter	Treanor
Cohen	Lefever	Potts	Tully
Comstock	Lindsay	Rhodes	Walsh
Costello	McAvoy	Roberts	Wiley
Cushing	McCarthy	Shanley	Wren
Deane			

Mr. Speaker put the question whether the House would agree to the second subdivision of said amendment, as follows: Strike out "for Charles A. Danolds, \$65,000, and for interest thereon, \$3,900," and it was determined in the negative.

{ AYES 48 }  
{ NOES 61 }

Those who voted in the affirmative, were

Baker, B. F.	Congdon	Gwinup	Russell
Beach	Cookinham	Havens	Sanders
Benedict, T. E.	Cullinan	Howland	Seeley
Bradley	Curtis	Kennedy	Sipp
Brennan	Davis	Low	Skinner
Bridges	Duell	McCabe	Slingerland
Bullock	Duguid	Miller	Steele
Carpenter, E. A.	Ellis	Mitchell	Strait
Case	Evans	Morgan	Tozier
Chamberlain	Fish	Parker	Tuttle, R. M.
Chickering	Gray	Peck	Van Valkenburgh
Clowes	Grosse	Root	Varnum

Those who voted in the negative, were

Alvord	Dougherty	McDonald	Sheridan
Andrews	Ferris	McTernan	Shuit
Baker, C. S.	Fiske	Mead	Sisson
Beates	Fitzgerald	Mooers	Tallmadge
Benedict, E. D.	Gibbs	Newman	Terpeny
Bennett	Griggs	Nowlan	Terry
Brodsky	Hagan	O'Brien	Thilemann
Catlin	Hayes	O'Connor	Titus
Chase	Hurd	Phillips	Tormey
Clancy	Husted	Pitcher	Treanor
Clark	Ingersoll	Potter	Tully
Cohen	Lefever	Potts	Walsh
Comstock	Lindsay	Rhodes	Weston

Costello  
Cushing  
Deane

McAvoy  
McCarthy

Roberts  
Shanley

Wiley  
Wren

Mr. Speaker put the question whether the House would agree to the third subdivision of said amendment, as follows: Strike out "for George Worthington, \$25,000, and for interest thereon, \$1,500," which was determined in the negative.

Mr. Speaker put the question whether the House would agree to the fourth subdivision of said amendment, as follows: Strike out "for Timothy J. Sullivan, \$8,346.18," and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to the fifth subdivision of said amendment, as follows: Strike out "for the county of Erie, \$2,500," which was determined in the negative.

Mr. Speaker put the question whether the House would agree to the sixth subdivision of the said amendment, as follows: Strike out "and for Allen Rutherford, \$2,603.10," and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to the seventh subdivision of said amendment, as follows: Strike out "for the Comptroller, for the purchase of the bronze statue of Robert R. Livingston, now in the Capitol, \$5,000," and it was determined in the negative.

{ AYES 37 }  
{ NOES 63 }

Those who voted in the affirmative, were

Beach	Cookinham	Grosse	Root
Bradley	Cullinan	Gwinup	Seeley
Brennan	Curtis	Howland	Skinner
Bridges	Davis	Low	Slingerland
Carpenter, E. A.	Duguid	Mead	Steele
Case	Ellis	Mitchell	Tozier
Chamberlain	Evans	Nowlan	Travis
Chase	Fish	Peck	Tuttle, R. M.
Chickering	Gray	Phillips	Varnum
Clowes			

Those who voted in the negative, were

Alvord	Duell	McCarthy	Shanley
Andrews	Ferris	McTernan	Sheridan
Baker, B. F.	Fiske	Miller	Shuit
Baker, C. S.	Fitzgerald	Moors	Sisson
Benedict, E. D.	Gibbs	Morgan	Strait
Bennett	Griggs	Newman	Terpeny
Brodsky	Hagan	O'Brien	Terry
Catlin	Hayes	O'Connor	Thilemann
Clancy	Hurd	Parker	Tormey
Clark	Husted	Pitcher	Treanor
Cohen	Ingersoll	Potter	Tully
Cemstock	Kennedy	Potts	Van Valkenburgh
Congdon	Lefever	Rhodes	Walsh
Costello	Lindsay	Roberts	Wiley
Cushing	McAvoy	Russell	Wren
Dougherty	McCabe	Sanders	

Mr. Speaker put the question whether the House would agree to the eighth subdivision of said amendment, as follows: Strike out "for

the support and maintenance of juvenile delinquents at the protectory of the Society for the Protection of Destitute Roman Catholic Children of the city of Buffalo, the sum of \$12,500," and it was determined in the negative.

{ AYES 41 }  
{ NOES 51 }

Those who voted in the affirmative, were

Baker, B. F.	Curtis	Ingersoll	Root
Baker, C. S.	Davis	Kennedy	Sanders
Beach	Duell	McCabe	Seeley
Brennan	Duguid	Miller	Skinner
Bridges	Ellis	Mitchell	Slingerland
Case	Evans	Morgan	Steele
Chamberlain	Fish	Nowlan	Tozier
Chickering	Gray	Parker	Tuttle, R. M.
Clark	Gwinup	Peck	Varnum
Congdon	Howland	Phillips	Weston
Cookinham			

Those who voted in the negative, were

Alvord	Cushing	McAvoy	Roberts
Andrews	Deane	McCarthy	Shanley
Benedict, E. D.	Dougherty	McDonald	Sheridan
Bennett	Ferris	McTernan	Sisson
Bradley	Fiske	Mead	Terpeny
Brodsky	Fitzgerald	Moore	Terry
Catlin	Gibbs	Newman	Thilemann
Chase	Grosse	O'Brien	Tormey
Clancy	Hagan	O'Connor	Treanor
Cohen	Hayes	Pitcher	Tully
Comstock	Hurd	Potter	Walsh
Costello	Husted	Potts	Wiley
Cullinan	Lindsay	Rhodes	

Mr. Speaker put the question whether the House would agree to the motion of Mr. Cullinan, to instruct the committee to amend as follows: Page 10, after line 300, insert the following: "But no part of the sum hereby appropriated shall be expended until the work contemplated shall be considered by the State Engineer and Surveyor and the Superintendent of Public Works, and their concurrent opinion in writing filed with the Canal Board, that such improvement will not have the effect of impairing the efficiency or value of the water power on said Seneca river, or on the Oswego river, below the junction of the said rivers, so as to render the State liable for damages, or to diminish the supply of water in the said Oswego or Seneca rivers necessary for the due navigation of the canals of this State," and it was determined in the negative.

Said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill and it was determined in the negative, two-thirds of all the members elected to the Assembly not voting in favor thereof.

{ AYES 67 }  
{ NOES 38 }

Those who voted in the affirmative, were

Alvord	Cullinan	McAvoy	Shanley
Andrews	Cushing	McCarthy	Sheridan
Baker, C. S.	Deane	McDonald	Sisson

Beates	Dougherty	McTernan	Tallmadge
Benedict, E. D.	Duell	Mead	Terpeny
Bennett	Evans	Moore	Terry
Bradley	Fiske	Morgan	Thilemann
Brodsky	Fitzgerald	Newman	Titus
Bullock	Gibbs	Nowlan	Tormey
Catlin	Hagan	O'Connor	Travis
Clancy	Hayes	Phillips	Treanor
Clark	Hurd	Pitcher	Tully
Clowes	Husted	Potter	Walsh
Cohen	Ingersoll	Potts	Weston
Comstock	Kennedy	Rhodes	Wiley
Congdon	Lefever	Roberts	Wren
Costello	Lindsay	Russell	

Those who voted in the negative, were

Baker, B. F.	Curtis	Howland	Seeley
Beach	Davis	Low	Skinner
Benedict, T. E.	Duguid	McCabe	Slingerland
Brennan	Ellis	Miller	Steele
Bridges	Evans	Mitchell	Strait
Carpenter, E. A.	Fish	Parker	Tozier
Case	Gray	Peck	Tuttle, R. M.
Chamberlain	Grosse	Root	Van Valkenburgh
Chickering	Gwinup	Sanders	Varnum
Cookinham	Havens		

A message from the Senate was received and read, informing of concurrence in the following bills:

"An act to organize a Fire Department in the village of Madrid, St. Lawrence county, New York."

"An act to extend the time for the collection of taxes in the towns of Catskill and Hunter, in the county of Greene."

*Ordered*, That the Clerk deliver said bills to the Governor.

The Senate sent for concurrence the following resolutions:

*Resolved* (if the Assembly concur), That a respectful message be sent to the Governor requesting him to return, for amendment, Senate bill, not printed, introductory No. 438, entitled "An act in relation to assessments for taxes in the city of New York."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Resolved* (if the Assembly concur), That a respectful message be sent to His Excellency the Governor requesting him to return for amendment Senate bill, introductory No. 261, entitled "An act to amend the charter of the village of Walden, Orange county."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Resolved* (if the Assembly concur), That a respectful message be sent to the Governor requesting him to return for amendment Senate bill, not printed, introductory No. 438, entitled "An act in relation to assessments for taxes in the city of New York."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk return said several resolutions to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

On motion of Mr. Husted, at 2 o'clock and 15 minutes, the House adjourned until Monday evening at 8 o'clock.

MONDAY EVENING, APRIL 12, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Clark.

The journal of Friday was read and approved.

The Senate returned the resolution relative to printing 500 copies of the report of the Superintendent of State Prisons, relative to contract convict labor, with a message that they have concurred in the passage of the same.

A message from the Senate was received and read informing of concurrence in the passage of the following resolution :

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor for the return of Assembly bill No. 116, general orders No. 122, entitled "An act to amend chapter 435 of the Laws of 1868, entitled 'An act to incorporate the village of Hamilton, in the county of Madison; and to repeal its present charter as amended by chapter 166 of the Laws of 1877, and by chapter 19 of the Laws of 1878.'"

*Ordered*, That the Clerk deliver said resolution to the Governor.

The Senate returned Assembly bill entitled "An act to authorize the water commissioners of the city of Watertown to borrow money for more fully supplying said city with water, and to issue bonds founded upon the credit of said city for the payment of such loan," with a message that they have concurred in the same.

*Ordered*, That the Clerk deliver said bill to the Governor.

On motion, the privileges of the floor were granted to Hon. A. H. Prescott and Daniel Bradley.

Indefinite leave of absence was granted to Mr. Grosse, on account of sickness.

By unanimous consent.

Mr. O'Brien offered for the consideration of the House a resolution in the words following :

*Resolved*, That the committee of the whole be discharged from the further consideration of Senate bill, printed No. 202, entitled "An act to amend chapter 519 of the Laws of 1870, entitled 'An act to revise the charter of the city of Buffalo,'" and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The Senate sent for concurrence the bills entitled as follows :

"An act to amend chapter 290 of the Laws of 1879, entitled 'An act to amend chapter 149 of the Laws of 1874, entitled 'An act to amend an act passed April 27, 1872, entitled 'An act to amend chapter 657 of the Laws of 1871, entitled 'An act to amend an act passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed April 20, 1871, and to legalize the formation and acts of certain corporations formed according to the provisions of chapter 374 of the Laws of 1877," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

"An act to alter the map or plan of the city of New York by widening a portion of 130th street," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to exempt corporations from the provisions of sections 5, 6 and 8, title 4, chapter 18, part 1 of the Revised Statutes entitled special provisions relating to certain corporations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

"An act prohibiting the sale or giving of spirituous liquors or wines to inmates of the New York State Soldiers and Sailors' Home," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act to incorporate 'The German Masonic Temple Association of the city of New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to amend chapter 37 of the Laws of 1855, entitled 'An act amendatory of the acts for the assessment and collection of taxes,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the special committee on taxation.

"An act to amend chapter 604 of the Laws of 1875, entitled 'An act to prevent the deposit of carrion, offal or dead animals in the North and East rivers, or in the bay of New York, or in Raritan bay within the jurisdiction of the State of New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Speaker presented a communication from the Farmers' Club of the American Institute; which was laid on the table and ordered printed, and to be referred to the committee on public health.

A message was received from the Governor in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, April 9, 1880. }

*To the Assembly:*

In accordance with a joint resolution of the Senate and Assembly, herewith is returned for amendment, Assembly bill No. 116, entitled "An act to amend chapter 435 of the Laws of 1868, entitled "An act to incorporate the village of Hamilton, in the county of Madison, and to repeal its present charter as amended by chapter 166 of the Laws of 1877, and by chapter 19 of the Laws of 1878."

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Liddle	Sheridan
Baker, B. F.	Cushing	McAvoy	Sherman

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Baker, O. S.	Davis	McCabe	Shuit
Beach	Deane	Mead	Sisson
Beates	Douglass	Miller	Skinner
Benedict, E. D.	Duguid	Mitchell	Slingerland
Bennett	Ellis	Mooers	Strait
Brennan	Evans	Morgan	Tallmadge
Bridges	Ferris	Newman	Terpeny
Brodsky	Fish	Nowlan	Terry
Bullock	Gorsline	Pitcher	Titus
Carpenter, E. A.	Gray	Potter	Travis
Case	Griggs	Potts	Tully
Oatlin	Havens	Rhodes	Varnum
Chase	Howland	Roberts	Warner
Chickering	Hurd	Root	Waterbury
Comstock	Husted	Sanders	Wells, J. L.
Congdon	Ingersoll	Seeley	Wiley
Cookinham	Kennedy	Shanley	Wren]
Cullinan	Lefever		

On motion of Mr. Miller, and by unanimous consent, said bill was amended as follows:

Amend title by striking out all after the word "seventy-seven."

In section 1, strike out all of line 5 after the word "seventy-seven." Strike out word "seventy-eight" in line 6.

In section 6, line 1, after the word "act" insert "as amended by chapter 166 of the Laws of 1877."

In section 7, line 1, after the word "act" insert "as amended by chapter 166 of the Laws of 1877."

In section 9, line 1, after the word "act" insert "as amended by chapter 166 of the Laws of 1877."

The bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 77 }  
} NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Lefever	Sheridan
Baker, B. F.	Cushing	Liddle	Sherman
Baker, O. S.	Davis	Lindsay	Skinner
Beach	Deane	McAvoy	Slingerland
Beates	Douglass	McCabe	Strait
Benedict, E. D.	Duguid	Mead	Tallmadge
Benedict, T. E.	Ellis	Miller	Terpeny
Bennett	Ferris	Mitchell	Terry
Brennan	Fish	Morgan	Titus
Bridges	Fiske	Newman	Travis
Brodsky	Gillette	Nowlan	Treanor
Bullock	Gorsline	Peck	Tully
Carpenter, E. A.	Gray	Phillips	Tuthill, H. H.
Oatlin	Griggs	Pitcher	Varnum
Chamberlain	Gwinup	Potter	Waterbury
Chase	Howland	Rhodes	Wells, J. L.
Comstock	Hurd	Root	Wiley
Congdon	Ingersoll	Sanders	Wren
Cookinham	Kennedy	Seeley	Mr. Speaker
Cullinan			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

Mr. Speaker presented a communication from the Superintendent of the Insurance Department, in reply to a resolution of the Assembly requesting to be informed why the Universal Life Insurance Company has not made its annual report for 1879; which was laid on the table and ordered printed.

(*See Doc. No. 113.*)

Pursuant to ninth joint rule, Mr. Speaker announced order of business, third reading of bills.

Mr. Husted moved to reconsider the vote by which Assembly bill No. 460, entitled "An act making appropriations for certain expenses of government, and supplying deficiencies in former appropriations," was lost, and that that motion do lay upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Husted gave notice that he will, at some future day, move to suspend the 44th rule in order that the vote by which Assembly bill No. 460, entitled "An act making appropriations for certain expenses of government, and supplying deficiencies in former appropriations," was lost, may be reconsidered by a majority vote of all the members elected to this House.

Mr. Husted then moved to lay the order of business, third reading of bills, on the table for the purpose of taking up regular order of business.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Roberts introduced a bill entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of increasing the water supply to its inhabitants," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also a bill entitled "An act to amend chapter 320 of the Laws of 1859, entitled 'An act to amend the incorporation of the village of Lancaster, in the county of Erie,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Ellis introduced a bill entitled "An act to amend chapter 8 of part 3 of the Revised Statutes, entitled 'Of distraining cattle and other chattels doing damage, and of distraining in other cases,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Shanley introduced a bill entitled "An act in relation to the sale and conveyance of any interest in real estate belonging to lunatics or idiots," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. E. D. Benedict introduced a bill entitled "An act to place and maintain shareholders of State banks in the assessment and taxation of their share of stock upon an equality with shareholders of National banks," which was read the first time, and by unanimous consent was also read the second time, and referred to the special committee on taxation.

Mr. Brodsky introduced a bill entitled "An act to establish a police pension fund for disabled and retired members, and the widows and children of deceased members of the police department of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Mitchell introduced a bill entitled "An act to amend section 376 of the Code of Civil Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Hagan introduced a bill entitled "An act to authorize the registration of births not hitherto registered," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Mitchell introduced a bill entitled "An act in relation to the district courts in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Alvord introduced a bill entitled "An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Also, a bill entitled "An act protecting fish in certain waters of the State," which was read the first time, and by unanimous consent was also read the second time, and referred to committee on game laws.

Mr. Comstock introduced a bill entitled "An act to amend an act to incorporate the village of Harts Falls, in the county of Rensselaer," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Mead introduced a bill entitled "An act to amend an act passed April 6, 1871, entitled 'An act to amend the act entitled 'An act incorporating the New York Northern Railroad Company,' passed April 28, 1866,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. E. A. Carpenter introduced a bill entitled "An act to authorize the supervisor of the town of Southampton, Suffolk county, to acquire landing places in, and for the use of the inhabitants of said town," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, a bill entitled "An act to amend section 2 of chapter 514 of the Laws of 1875, entitled 'An act to provide for the election of police justices in villages,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to amend an act to authorize the formation of railroad corporations, and to regulate the same, passed April 2, 1850," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Fish introduced a bill entitled "An act to release the title of

the State of New York in and to certain lands in Yates county, to Elbert Ball Porter and Eugene D. Porter, heirs at law of Laura Ball Hoeing," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Fish, and by unanimous consent, said bill was ordered to a third reading.

Mr. Brennan introduced a bill entitled "An act to amend an act entitled 'An act to incorporate the Chateaugay Water Works Company,' passed May 5, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act making it unlawful for the officers of any orphan asylum, charitable institution or other reformatory or temporary home for destitute children in this State, having the care or custody of any child or children between the ages of two and sixteen years, to employ in the care of such child or children the services of any inmate of any poor-house, alms-house, work-house or penitentiary," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State charitable institutions.

Mr. Treanor introduced a bill entitled "An act for the protection of sureties on the bonds of contractors with municipal corporations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Slingerland introduced a bill entitled "An act to create a board of charities for the city and county of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State charitable institutions.

Mr. Hurd introduced a bill entitled "An act to define the powers and duties of the Superintendent of Public Works," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Mitchell introduced a bill entitled "An act to provide for the representation of deceased persons in the courts of records of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Terry moved that the House now proceed in committee of the whole to the consideration of Assembly bill No. 252, general orders No. 272, entitled "An act to amend chapter 140 of the Laws of 1850, entitled 'An act entitled 'An act to authorize the formation of railroad corporations, and to regulate the same.'"

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The House then resolved itself into a committee of the whole on the bill entitled as follows:

"An act to amend chapter 140 of the Laws of 1850, entitled 'An act entitled 'An act to authorize the formation of railroad corporations and to regulate the same.'"

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Mead, from said committee, reported in favor of the passage of said bill with amendments, which report was agreed to and the same ordered engrossed for a third reading.

By unanimous consent,

Mr. Hurd moved that the House now proceed in committee of the whole to the consideration of Assembly bill No. 577, entitled "An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals for the fiscal year, commencing on the first day of October, 1880, and to provide for a contingent deficiency in the revenues of the canals for the calendar year 1880;" and, also, Assembly bill No. 248, entitled "An act appropriating money for the payment of sums due to contractors for new work and extraordinary repairs on the canals, and to pay the certificates and drafts issued therefor."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act appropriating money for the payment of sums due to contractors for new work and extraordinary repairs on the canals, and to pay the certificates and drafts issued therefor."

"An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals for the fiscal year, commencing on the first day of October, 1880, and to provide for a contingent deficiency in the revenues of the canals for the calendar year 1880."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Potter, from said committee, reported in favor of the passage of said bills, which report was agreed to, and the same ordered engrossed for a third reading.

By unanimous consent,

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Potter (introductory No. 1026), entitled "An act to amend an act entitled 'An act to amend the charter of the village of Saratoga Springs,' passed March 26, 1866, and the act amendatory thereof, passed March 17, 1872," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Sisson (introductory No. 879), entitled "An act to amend and consolidate an act to incorporate the village of Cambridge, passed April 16, 1866, and the several acts amending and supplementing the same," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

The Senate returned the Senate bill entitled "An act to authorize the treasurer of Orleans county to sell property for unpaid taxes," with a message that they have concurred in the Assembly amendments made therein, and have further amended as follows:

Section 2. Strike out all after the word "entitled," line 18, down to and including word "possession," in line 21.

Section 8, line 20, strike out "eighth" and insert "ninth" reference to engrossed bill.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority

of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

• { AYES 84 }  
• { NOES 00 }

Those who voted in the affirmative, were

Alvord	Deane	McTernan	Sisson
Baker, B. F.	Douglass	Mead	Skinner
Baker, C. S.	Duguid	Miller	Slingerland
Beach	Ellis	Mitchell	Strait
Beates	Evans	Mooers	Tallmadge
Bennett	Ferris	Morgan	Terpeny
Brennan	Fish	Newman	Terry
Bridges	Fitzgerald	Nowlan	Thilemann
Brodskey	Gorsline	Peck	Titus
Bullock	Gray	Phillips	Travis
Carpenter, E. A.	Griggs	Pitcher	Tully
Case	Hagan	Potter	Tuthill, H. H.
Chamberlain	Hurd	Potts	Varnum
Chickering	Husted	Roberts	Warner
Comstock	Ingersoll	Root	Waterbury
Congdon	Kennedy	Sanders	Wells, D. A.
Cookinham	Lefever	Sealey	Wells, J. L.
Cullinan	Liddle	Shanley	Weston
Curtis	Lindsay	Sheridan	Wiley
Cushing	McAvoy	Sherman	Wren
Davis	McCabe	Shuit	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

By unanimous consent,

Mr. Terry offered for the consideration of the House a resolution in the words following:

*Resolved*, That bill No. 182, general orders No. 197, entitled "An act to establish a Civil Code," and bill No. 183, general orders No. 198, entitled "An act to establish a Penal Code," and bill No. 184, general orders No. 199, entitled "An act to establish a Code of Criminal Procedure," are hereby ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Cookinham offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly-bill No. 152, general orders No. 164, entitled "An act to authorize the Superintendent of Public Works to construct a lift, hoist, swing or draw bridge over the Erie canal upon Genesee street in the city of Utica," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Comstock offered for the consideration of the House a resolution in the words following:

*Resolved*, That the House now proceed in the committee of the whole to the consideration of Assembly bill No. 193, entitled "An act to establish and maintain a police force in the city of Troy."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

Mr. Speaker announced the order of business general orders.

Mr. Wren offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 512, general orders No. 587, entitled "An act to amend chapter 253 of the Laws of 1877, entitled 'An act to amend chapter 107 of the Laws of 1877, entitled 'An act in relation to the Superintendent of State Prisons, and for the more efficient and economical management of said prisons,'" be made a special order for Friday morning, April 16.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative.

By unanimous consent,

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Lefever (introductory No. 727), entitled "An act to provide for the payment of unpaid bounties to certain volunteers enlisted in the service of the United States and credited to the quota of Greene county," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Varnum offered for the consideration of the House a resolution in the words following:

*Resolved*, That Senate bill No. 168, general orders 548, entitled "An act to protect the right of citizens of this State owning and holding claims against other States," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

Senate, "An act to amend chapter 611 of the Laws of 1875, entitled 'An act to provide for the organization and regulation of certain business corporations.'"

"An act further defining and limiting the powers and duties of the commissioners of the road formerly known as the Buffalo plank-road, in the county of Erie, and contracting said road."

"An act to establish and maintain a police force in the city of Troy."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Newman, from said committee, reported in favor of the passage of the first named bill, which report was agreed to and the same ordered to a third reading.

Mr. Newman, from said committee, also reported in favor of the passage of the second named bill, which report was agreed to and the same ordered to be engrossed for a third reading.

Mr. Newman, from said committee, also reported progress on the last named bill, and asked and obtained leave to sit again.

Mr. Comstock moved that the committee of the whole be discharged from the consideration of the last named bill, and that the same be ordered engrossed for a third reading, as amended in the committee of the whole.

Mr. Rhodes moved, as an amendment, to refer said bill to the committee on affairs of cities, for further hearing.

Mr. Speaker put the question whether the House would agree to the motion of Mr. Rhodes, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Comstock, and it was determined in the affirmative.

*Ordered*, To a third reading.

Mr. Husted in the chair.

By unanimous consent,

Mr. Sharpe gave notice that he will, at some future day, move to suspend the 37th and 41st rules, in order that Senate bill No. 99, general orders No. 113, entitled "An act to provide for the review and correction of illegal, erroneous and unequal assessments," may be referred to the special committee on taxation and assessments, with power to report complete.

On motion of Mr. Newman, at 10 o'clock and 5 minutes, the House adjourned.

## TUESDAY MORNING, APRIL 13, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Clark.

The journal of yesterday was read and approved.

Mr. Terry in the chair.

Mr. Speaker announced the special order of the day, being Assembly bill No. 261, entitled "An act relating to the State Board of Charities."

The House then resolved itself into a committee of the whole on the bill entitled as follows:

"An act relating to the State Board of Charities."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Davis, from said committee, reported in favor of striking out the title of said bill.

Mr. Sharpe moved to disagree with the report of the committee, and that said bill be recommitted to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion to disagree from the report of the committee, and whether said bill should be recommitted to the committee of the whole, and it was determined in the affirmative.

{ AYES 54 }  
{ NOES 42 }

Those who voted in the affirmative, were

Alvord	Chase	McCabe	Tallmadge
Andrews	Chickering	Miller	Terpeny
Baker, B. F.	Congdon	Mooers	Terry
Baker, C. S.	Curtis	Morgan	Titus
Beach	Davis	Nowlan	Tormey
Beates	Deane	O'Brien	Tozier
Bradley	Duguid	Pitcher	Puthill, H. H.
Brennan	Ferris	Potter	Tuttle, R. M.
Bridges	Fiske	Seeley	Varnum



Brodsky	Hurd	Sheridan	Warner
Bullock	Husted	Sherman	Wells, D. A.
Carpenter, E. A.	Kennedy	Sisson	Weston
Carpenter, I. S.	Lefever	Skinner	Mr. Speaker
Case	Lindsay		

Those who voted in the negative, were

Benedict, T. E.	Douglas	Mitchell	Shanley
Oatlin	Ellis	Parker	Shuit
Chamberlain	Evans	Peck	Sipp
Clancy	Fish	Phillips	Strait
Clowes	Gray	Potts	Travis
Comstock	Gwinup	Rhodes	Tully
Cookinham	Hagan	Roberts	Walsh
Crapser	Havens	Root	Waterbury
Cullinan	Hoffman	Russell	Wells, J. L.
Cushing	Howland	Sanders	Youngs
Dougherty	McTernan		

*Ordered*, That said bill be committed to the committee of the whole.  
Privileges of the floor were granted to Hon. Julius Langbein and Hon. Richard Marvin.

Pursuant to the 9th joint rule, Mr. Speaker announced the order of business, third reading of bills.

Mr. Bradley moved to take from the table the Senate bill entitled "An act to secure uniform ballots and preserve the purity of elections."

Mr. Speaker put the question whether the House would agree to take said bill from the table, and it was determined in the affirmative.

{ AYES 59 }  
{ NOES 34 }

Those who voted in the affirmative, were

Alvord	Curtis	Lindsay	Sipp
Andrews	Davis	McCabe	Tallmadge
Baker, B. F.	Deane	Miller	Terry
Baker, C. S.	Douglass	Mitchell	Titus
Beach	Duguid	Morgan	Travis
Beates	Evans	Nowlan	Tuthill, H. H.
Bradley	Ferris	Peck	Tuttle, R. M.
Brennan	Fish	Phillips	Varnum
Brodsky	Fiske	Potter	Warner
Bullock	Gray	Potts	Waterbury
Carpenter, I. S.	Hayes	Roberts	Wells, D. A.
Case	Hurd	Russell	Wells, J. L.
Clowes	Husted	Seeley	Weston
Congdon	Kennedy	Sherman	Wren
Cookinham	Lefever	Shuit	

Those who voted in the negative, were

Benedict, E. D.	Cullinan	Howland	Shanley
Benedict, T. E.	Cushing	McAvoy	Sheridan
Bennett	Dougherty	McTernan	Skinner
Bridges	Ellis	Moers	Terpeny
Carpenter, E. A.	Fitzgerald	Newman	Tormey
Oatlin	Gwinup	O'Brien	Treanor
Chamberlain	Hagan	Parker	Tully
Chickering	Havens	Rhodes	Walsh
Clancy	Hoffman		

Mr. Bradley moved to reconsider the vote by which said bill was lost.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the affirmative.

{ AYES 76 }  
{ NOES 5 }

Those who voted in the affirmative, were

Alvord	Comstock	Howland	Russell
Andrews	Congdon	Hurd	Sanders
Baker, B. F.	Cookinham	Husted	Shanley
Baker, C. S.	Cullinan	Kennedy	Sherman
Beach	Curtis	Lefever	Shuit
Beates	Cushing	Lindsay	Sipp
Benedict, T. E.	Davis	McCabe	Slingerland
Bradley	Deane	Miller	Terpeny
Brennan	Douglass	Mitchell	Terry
Bridges	Duguid	Mooers	Titus
Brodsky	Ellis	Morgan	Tozier
Bullock	Evans	Newman	Travis
Carpenter, I. S.	Ferris	Nowlan	Tuthill, H. H.
Case	Fish	Parker	Tuttle, R. M.
Catlin	Gorsline	Peck	Varnum
Chamberlain	Gray	Potts	Warner
Chickering	Gwinup	Rhodes	Waterbury
Claney	Hagan	Roberts	Wells, D. A.
Clowes	Havens	Root	Wells, J. L.

Those who voted in the negative, were

Benedict, E. D.	Fitzgerald	Hoffman	Skinner
Crapser			

Mr. Alvord moved to recommit said bill to the committee on general laws, retaining its place on order of third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill entitled "An act to amend chapter 415 of the Laws of 1877, entitled 'An act for the protection of dairymen, and to prevent deception in sales of butter,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Husted	Sheridan
Andrews	Crapser	Kennedy	Sherman
Baker, B. F.	Cullinan	Lefever	Shuit
Baker, C. S.	Curtis	Lindsay	Sipp
Beach	Cushing	McCabe	Siason
Beates	Davis	Miller	Skinner
Benedict, E. D.	Deane	Mitchell	Slingerland
Benedict, T. E.	Douglass	Mooers	Tallmadge
Bradley	Ellis	Morgan	Terry
Brennan	Ferris	Newman	Titus
Bridges	Fish	Nowlan	Tozier
Brodsky	Fiske	Phillips	Treanor
Bullock	Fitzgerald	Pitcher	Tully

Carpenter, E. A.	Gorsline	Potter	Tuthill, H. H.
Carpenter, I. S.	Gray	Potts	Tuttle, R. M.
Case	Gwinup	Roberts	Walsh
Catlin	Hagan	Root	Warner
Chamberlain	Hayes	Russell	Wells, J. L.
Chase	Hoffman	Sanders	Weston
Chickering	Howland	Seeley	Wren
Clowes	Hurd	Shanley	Youngs
Comstock			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act to provide for the election of a board of directors of the New York and Oswego Midland Railroad Company, and to compel the delivery of the stock books and papers relating to the stock of the said company to the officers of the said company."

"An act to release the right, title and interest of the people of the State of New York in and to certain lands in Yates county, to Elbert Ball Porter and Eugene D. Porter, heirs at law of Laura Ball Hoeing."

"An act appropriating money for the payment of sums due to contractors for new work and extraordinary repairs on the canals, and to pay the certificates and drafts issued therefor."

"An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals for the fiscal year, commencing on the first day of October, 1880, and to provide for a contingent deficiency in the revenues of the canals for the calendar year 1880."

"An act for the relief of the town of Somerset, to abolish the office of railroad commissioner of said town, and to enable it to adjust its indebtedness and issue bonds therefor."

"An act in relation to runners or solicitors of passengers or patronage for steamers, steamboats, ships, vessels, hotels, railroads or transportation companies in the city of New York."

"An act to amend chapter 30 of the Laws of 1880, entitled 'An act to amend chapter 598 of the Laws of 1870, entitled 'An act to amend an act to incorporate the city of Troy, passed April 12, 1816, and the several acts amendatory thereof, and also to amend other acts relating to the city of Troy,' and supplemental thereto."

"An act to prohibit the erection, construction, maintenance or operation of elevated railways or extensions thereof, in certain streets or avenues in the city of Brooklyn and county of Kings."

"An act to amend chapter 37 of the Laws of 1855, entitled 'An act amendatory of the acts for the assessment and collection of taxes."

"An act to amend section 2 of title 1 of chapter 13 of part 1 of the Revised Statutes."

Senate bill entitled "An act to facilitate the carrying out of plans and agreements for the reorganization of railroads," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 73 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Comstock	Lefever	Sisson
Andrews	Cookinham	Lindsay	Skinner
Baker, B. F.	Crapeer	Miller	Slingerland
Baker, C. S.	Curtis	Mooers	Tallmadge
Beach	Davis	Newman	Terry
Beates	Deane	Nowlan	Titus
Benedict, E. D.	Ellis	Phillips	Travis
Benedict, T. E.	Evans	Pitcher	Treanor
Bradley	Ferris	Potter	Tuthill, H. H.
Brennan	Fish	Potts	Tuttle, R. M.
Bridges	Gorsline	Root	Walsh
Brodsky	Gray	Russell	Warner
Bullock	Hagan	Seeley	Waterbury
Carpenter, E. A.	Havens	Shanley	Wells, D. A.
Carpenter, I. S.	Hayes	Sheridan	Wells, J. L.
Case	Hoffman	Sherman	Weston
Catlin	Hurd	Shuit	Wren
Chamberlain	Kennedy	Sipp	Youngs
Chickering			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate returned the following resolution: *Resolved* (if the Senate concur), That there be printed and bound in cloth ten copies of the last printed of Colvin's Survey of the Adirondacks, for the use of each Senator and member of Assembly of the Legislature of 1880, and two copies for each of the officers and reporters of the present Legislature, with a message that they had concurred in the same with the following amendments:

Strike out the words "ten copies" and insert "twenty copies," in line 4. Strike out the words "two copies" and insert "five copies," in line 8, and add at the end of resolution the following: "providing the cost shall not exceed the sum of two dollars and fifty cents per volume."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative.

{ AYES 76 }  
{ NOES 6 }

Those who voted in the affirmative, were

Alvord	Cullinan	Miller	Sipp
Andrews	Cushing	Mitchell	Sisson
Baker, B. F.	Davis	Mooers	Tallmadge
Baker, C. S.	Deane	Morgan	Terpeny
Beach	Dougherty	Newman	Terry
Beates	Douglass	Nowlan	Thilemann
Bradley	Ferris	Parker	Titus
Brennan	Fish	Peck	Tormey
Brodsky	Fitzgerald	Phillips	Travis
Bullock	Gorsline	Pitcher	Treanor
Carpenter, E. A.	Gray	Potter	Tuthill, H. H.
Carpenter, I. S.	Hagan	Potts	Tuttle, R. M.
Chamberlain	Hayes	Russell	Varnum
Chase	Hoffman	Sanders	Walsh

Chickering	Hurd	Seeley	Waterbury
Comstock	Husted	Shanley	Wells, J. L.
Congdon	Lefever	Sheridan	Weston
Cookinham	Lindsay	Sherman	Wren
Crapser	McCabe	Shuit	Youngs

Those who voted in the negative, were

Bridges	Curtis	Gwinup	Skinner
Case	Evans		

*Ordered*, That the Clerk return said resolution to the Senate, with a message informing of concurrence in their amendments.

The bill entitled "An act for the relief of the town of Somerset, to abolish the office of railroad commissioner of said town, and to enable it to adjust its indebtedness and issue bonds therefor," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Lindsay	Shuit
Andrews	Cullinan	Mead	Sipp
Baker, B. F.	Curtis	Miller	Sisson
Baker, C. S.	Davis	Mitchell	Skinner
Beach	Deane	Mooers	Slingerland
Beates	Douglass	Morgan	Tallmadge
Benedict, E. D.	Ellis	Newman	Terpeny
Benedict, T. E.	Evans	Nowlan	Terry
Bradley	Fish	Parker	Titus
Brennan	Fiske	Peck	Tozier
Bridges	Fitzgerald	Phillips	Travis
Brodsky	Gorsline	Pitcher	Tully
Bullock	Gray	Potter	Tuthill, H. H.
Carpenter, I. S.	Gwinup	Potts	Varnum
Case	Hagan	Rhodes	Warner
Catlin	Havens	Roberts	Waterbury
Chamberlain	Hayes	Root	Wells, D. A.
Clowes	Hoffman	Sanders	Wells, J. L.
Comstock	Hurd	Seeley	Weston
Congdon	Kennedy	Shanley	Youngs
Cookinham	Lefever	Sherman	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 534 of Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish, and other game,'" being announced for a third reading, Mr. Youngs moved to recommit said bill to the committee on game laws, with instructions to amend said bill in words following and report forthwith:

At the end of section 2, after the words "Long Island Sound" add the words "and the bays adjacent thereto west of Lloyd's Neck point."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Congdon	Lindsay	Sipp
Andrews	Cookinham	McCabe	Sisson
Baker, B. F.	Curtis	Mead	Skinner
Baker, C. S.	Cushing	Miller	Slingerland
Beach	Davis	Mitchell	Tallmadge
Beates	Deane	Moors	Terpeny
Benedict, E. D.	Dougherty	Morgan	Terry
Benedict, T. E.	Duell	Newman	Thilemann
Bennett	Fish	Nowlan	Titus
Bradley	Fiske	Parker	Tozier
Brennan	Fitzgerald	Peck	Travis
Bridges	Gorsline	Phillips	Treanor
Brodsky	Gray	Potts	Tully
Bullock	Hagan	Roberts	Tuthill, H. H.
Carpenter, I. S.	Havens	Root	Tuttle, R. M.
Case	Hayes	Russell	Waterbury
Chamberlain	Hoffman	Sanders	Wells, D. A.
Chase	Hurd	Seeley	Wells, J. L.
Chickering	Kennedy	Shanley	Weston
Olowes	Lefever	Shuit	Youngs
Cornstock			

Those who voted in the negative, were

Evans                      Pitcher

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to legalize the official acts and proceedings of John Bradley Bliven, a justice of the peace of Chenango county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Lefever	Sherman
Andrews	Crappier	Lindsay	Shuit
Baker, B. F.	Cullinan	McCabe	Sipp
Baker, C. S.	Curtis	Mead	Sisson
Beach	Cushing	Miller	Slingerland
Beates	Davis	Mitchell	Tallmadge
Benedict, E. D.	Deane	Moors	Terpeny
Benedict, T. E.	Douglass	Morgan	Terry
Bennett	Ellis	Newman	Titus
Bradley	Evans	Nowlan	Tormey
Brennan	Fish	Parker	Tozier
Bridges	Fiske	Peck	Travis
Brodsky	Gorsline	Phillips	Tully

Bullock	Gray	Pitcher	Tuthill, H. H.
Carpenter, E. A.	Gwinup	Potter	Tuttle, R. M.
Carpenter, I. S.	Hagan	Potts	Walsh
Case	Hayes	Roberts	Waterbury
Chamberlain	Hoffman	Root	Wells, D. A.
Clowes	Hurd	Seeley	Wells, J. L.
Comstock	Husted	Sheridan	Youngs
Congdon			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act conferring additional powers upon the trustees of the village of LeRoy," being announced for a third reading, on motion of Mr. Sanders, and by unanimous consent, said bill was amended in the words following:

Section 1, line 2, after the word "village" and before the word "and" insert "lying between Main street bridge."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Lefever	Sipp
Andrews	Crapsier	Lindsay	Sisson
Baker, B. F.	Curtis	McCabe	Skinner
Baker, C. S.	Cushing	Mead	Slingerland
Beach	Davis	Miller	Tallmadge
Beates	Deane	Mitchell	Terpeny
Benedict, E. D.	Douglass	Moors	Terry
Benedict, T. E.	Ellis	Morgan	Thilemann
Bradley	Evans	Newman	Titus
Brennan	Fish	Nowlan	Tozier
Bridges	Fiske	Parker	Travis
Brodsky	Fitzgerald	Peck	Treanor
Bullock	Gorsline	Phillips	Tuthill, H. H.
Carpenter, E. A.	Gray	Pitcher	Tuttle, R. M.
Carpenter, I. S.	Gwinup	Potts	Varnum
Case	Havens	Roberts	Warner
Chamberlain	Hayes	Root	Waterbury
Chickering	Hoffman	Sanders	Wells, D. A.
Clowes	Hurd	Seeley	Weston
Comstock	Husted	Sherman	Wren
Congdon	Kennedy	Shuit	Youngs

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence therein.

The Senate sent for concurrence the bill entitled "An act to amend chapter 142 of the Laws of 1879, entitled 'An act to amend chapter 125 of the Laws of 1842, entitled 'An act to condense and amend the several acts relating to the village of Albion,' and the several acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

The Senate returned the bill entitled "An act to amend chapter 279 of the Laws of 1868, entitled 'An act to incorporate the

Public Exchange," with a message that they have concurred in the passage of the same with the following amendments :

Section 1, line 16, after "stocks" insert "and;" line 17, strike out the words "and other property and for other purposes;" lines 18 and 19, strike out the words "or valuable property."

Add at the end of section 1, "nothing in this act shall be construed so as to confer banking powers upon said corporation."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members present voting in favor thereof.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapsr	Lindsay	Shuit
Andrews	Cullinan	McAvoy	Sipp
Baker, B. F.	Curtis	McCabe	Sisson
Baker, C. S.	Davis	Mead	Skinner
Beach	Deane	Miller	Slingerland
Beates	Douglass	Mitchell	Tallmadge
Benedict, E. D.	Ellis	Mooers	Terpeny
Benedict, T. E.	Evans	Morgan	Terry
Bradley	Ferris	Newman	Thilemann
Brennan	Fish	Nowlan	Titus
Bridges	Fiske	Parker	Tozier
Brodsky	Fitzgerald	Peck	Travis
Bullock	Gorsline	Phillips	Tully
Carpenter, E. A.	Gray	Pitcher	Tuthill, H. H.
Carpenter, I. S.	Hagan	Potter	Tuttle, R. M.
Case	Hayes	Potts	Varnum
Chamberlain	Hoffman	Roberts	Warner
Chase	Hurd	Root	Waterbury
Clowes	Husted	Sanders	Wells, D. A.
Comstock	Kennedy	Seeley	Wells, J. L.
Congdon	Lefever	Sherman	Youngs
Cookinham			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Hayes (introductory No. 732), entitled "An act for the relief of the Five Points House of Industry in the city of New York," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Bradley (introductory No. 1017), entitled "An act to re-enact and amend the charter of the city of Yonkers," reported in favor of the passage of the same.

On motion of Mr. Varnum, and by unanimous consent, said bill was ordered engrossed and to a third reading, and printed.

By unanimous consent,

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Bradley (introductory No.



1018), entitled "An act to confirm the vote to raise money for sprinkling streets of the village of Greenburgh," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Roberts (introductory No. 1041), entitled "An act to amend chapter 320 of the Laws of 1859, entitled 'An act to amend the incorporation of the village of Lancaster, in the county of Erie,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Titus, from the sub-committee of the whole, called from the table a report in words following:

*Report of the sub-committee of the whole.*

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. , printed No. 27, entitled "An act to exempt the county of Orange from the provisions and requirements of chapter two hundred and eighty of the Laws of eighteen hundred and forty-five, entitled 'An act for the publication of the session laws in two newspapers in each county of this State,' and of the several acts amendatory thereof," reported in favor of the passage of the same, with amendments as follows:

Section one, line one, strike out word "the" and insert "any;" same line, strike out the words "Orange is hereby," and insert "this State may be." Also to add at the end of section one the following: "Whenever the board of supervisors of any county shall so resolve by a majority vote of such board passed at any annual or special session thereof."

Also to amend the title by striking out the word "the" in the first line, and insert "any;" also in same line strike out the word "Orange." and insert "this State."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 619, printed No. 544, entitled "An act to prevent interference with owners and captains of steamers engaged in the towing business," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 489, printed No. 443, entitled "An act to amend chapter four hundred and fifty-eight of the Laws of eighteen hundred and seventy-five, entitled 'An act to amend chapter eight hundred and seven of the Laws of eighteen hundred and seventy-three, entitled 'An act concerning notaries public in the counties of Kings, Queens, Richmond, Westchester and Rockland, and in the city and county of New York, and authorizing them to exercise the functions of their office therein,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 530, printed No. 98, entitled "An act to amend chapter four hundred and sixty-one of the Laws of eighteen hundred and seventy-seven, entitled 'An act to confer the powers of harbor masters on the police patrolmen detailed to certain docks and

piers in said city, by the board of commissioners of police and excise of the city of Brooklyn," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 244, printed No. 227, entitled "An act to further amend section two of chapter one hundred and thirty-nine of the Laws of eighteen hundred and seventy, as amended by chapter four hundred and two of the Laws of eighteen hundred and seventy-seven, entitled 'An act to annex parts of the towns of Bethlehem and Watervliet, in the county of Albany, to the city of Albany, and to exempt such parts thereof from certain taxes and to annex a part of the city of Albany to the town of Watervliet,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 525, printed No. 471, entitled "An act entitled 'An act to fix and regulate the rates of toll on the Overlook Turnpike Company, in the counties of Ulster and Greene,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 356, printed No. 330, entitled "An act to authorize joint-stock fire insurance companies to issue policies providing against loss or damage by lightning," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 577, printed No. 506, entitled "An act to legalize and confirm the official acts of William J. Robb, a justice of the peace of the town of Perth, in the county of Fulton, New York," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 421, printed No. 386, entitled "An act to reduce and fix the rate of interest on bonds and mortgages held by the commissioners of the United States Deposit Fund in the several counties of the State," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 474, printed No. 431, entitled "An act authorizing the village of Wellsville, New York, to appropriate portions of its highway moneys to the laying of stone sidewalks," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 500, printed No. 452, entitled "An act authorizing the commissioners of the several towns and cities of the counties of Cayuga, Tompkins, Cortland and Tioga to sell stock of Southern Central railroad with which to pay the bonded indebtedness of such towns and cities," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 512, printed No. 100, entitled "An act in relation to the deposit of stocks in the bank department," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 613, printed No. 522, entitled "An act to prevent malicious annoyance," reported in favor of the passage of the same, with an amendment as follows:

SECTION 1. Line three, after the word "letter," insert "postal card"

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 240, printed No. 223, entitled "An act to grant relief to the sureties of trustees appointed by the supreme court of the State of New York," reported in favor of the passage of the same, with amendments as follows:

Strike out all after enacting clause and insert the following:

SECTION 1. The surety of any trustee, committee or guardian appointed by or accountable to the supreme court shall, by said court at special term on good cause shown, be relieved from liability as surety for the acts or omissions of the trustees, committee, or guardian occurring after the date of the order relieving the surety. The surety of any trustee, committee or guardian appointed by or accountable to a county court shall, by said court on good cause shown, be relieved from liability as surety for the acts or omissions of the trustee, committee or guardian occurring after the date of the order relieving the surety.

§ 2. Application for such relief may be made by any surety or his representative upon a verified petition, setting forth the particulars of the trust, the names and residence of all persons interested in the trust, and, if any are under age, the age of such and the reason for seeking relief. The petition may be supported by additional proof.

§ 3. At least ten days' notice of the time when and court at which the petition will be presented, with a copy of the petition and proofs in support thereof, shall be personally served upon the trustee or committee, and upon all persons interested in the trust, except persons residing out of this State, and upon such persons the notice, and the manner in which it shall be given, shall be prescribed by the court in each case.

§ 4. If sufficient cause be shown, the trustee, committee or guardian shall be ordered to account before the court or a referee, and upon the trust fund or estate being found or made good, the surety shall be discharged.

§ 5. The court may require the trustee, committee or guardian to give new security for the faithful discharge of his duties, and in case of failure so to do, discharge such trustee, committee or guardian, and appoint a new trustee, committee or guardian.

§ 6. The court in which the proceedings are instituted, or a judge or justice thereof, may, by order, restrain the trustee, committee or guardian from acting pending proceedings, upon it being made to appear to the satisfaction of such court, judge or justice, that the rights of any party are endangered, or are about to be endangered by such trustee, committee or guardian.

§ 7. Proceedings under this act in the supreme court shall be had in the judicial district in which the trustee, committee or guardian resides; or if there be more than one trustee, committeeman or guardian in the judicial district in which some of them resides, proceedings in a county court shall be had in the county in which the trustee, committee or guardian was appointed.

§ 8. Words in this act used in the masculine gender include the feminine, and words in the singular number include the plural, and words in the plural include the singular.

§ 9. This act shall take effect immediately.

Also to amend the title so that it will read :

An act to grant relief to the sureties of trustees, committees or

guardians appointed by or accountable to the supreme court, or to any county court of the State.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 562, printed No. 495, entitled "An act to further amend an act entitled 'An act to amend chapter sixty-five of the Laws of eighteen hundred and seventy-eight, relating to the collection of taxes in the counties of Livingston, Montgomery, Oswego, Ulster and Ontario,' and amended by chapter two hundred of the Laws of eighteen hundred and seventy-nine," reported in favor of the passage of the same, with amendments as follows:

To insert as section two the following:

§ 2. The eighth section of said act is hereby amended so as to read as follows:

§ 8. The owner of, or any person interested in any real estate sold for taxes as aforesaid, may redeem the same at any time within two years after the last day of such sale, by paying to the said county treasurer of the county in which the real estate so sold is situated, for the use of the purchaser, his heirs and assigns, the sum mentioned in his certificate, and the interest thereon at the rate of ten per cent per annum, to be calculated from the date of such certificate, together with any tax the holder of said certificate shall have paid in the interim between the days of sale and redemption.

Also to change section "two" to section "three."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 583, printed No. 509, entitled "An act to prevent fishing with nets in a part of the waters of Lake Ontario," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 333, printed No. 308, entitled "An act to authorize the improvement of the public squares, parks or places in the Fourth avenue between Sixty-seventh and Ninety-sixth streets in the city of New York," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 605, printed No. 533, entitled "An act to amend chapter four hundred and eighty-two of the Laws of eighteen hundred and seventy-five, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 485, printed No. 439, entitled "An act for grading and planking Delaware avenue, in the city of Albany, from the north line of Warren street to the division line between the city of Albany and the town of Bethlehem, and to provide for the payment of the same," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 567, printed No. 500, entitled "An act to amend chapter three hundred and sixty-nine of the Laws of eighteen hundred and sixty-eight, entitled 'An act to amend the act incorporating the village of Phoenix, in the county of Oswego,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was

referred Assembly bill G. O. 520, printed No. 466, entitled "An act to amend chapter nine hundred and two of the Laws of eighteen hundred and sixty-nine, in relation to securities deposited by life insurance companies with the superintendent of insurance," reported in favor of the passage of the same without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 528, printed No. 473, entitled "An act for the relief of Bridget Gray, of the city of Albany, widow of Samnel Gray, late of the city of Albany, county of Albany, and State of New York," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 634, printed No. 555, entitled "An act to release the right, title and interest of the people of the State of New York of, in and to certain real estate of which George Johnson died seized to Catharine Johnson, his widow," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill Int. 967, not printed, entitled "An act to release to the widow and children of Charles Dodge, deceased, the interest of the people of the State of New York in and to certain real estate in the county of Fulton," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 594, printed No. 519, entitled "An act to amend chapter three hundred and sixty of the Laws of eighteen hundred and sixty-seven, entitled 'An act to amend and consolidate the several acts in relation to the village of Rhinebeck,' passed February second, eighteen hundred and sixty-seven," reported in favor of the passage of the same, with an amendment as follows:

To amend the title by striking out the words "passed February second, eighteen hundred and sixty-seven."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 235, printed No. 218, entitled "An act to amend chapter four hundred and forty-six, Laws of eighteen hundred and seventy-nine, entitled 'An act to amend chapter three hundred and sixty-one, Laws of eighteen hundred and sixty-seven, entitled 'An act authorizing supplementary proceedings for the collection of taxes,' " reported in favor of the passage of the same, with an amendment as follows:

§ 5. Line four, after the word "wards," insert "and as to taxes heretofore returned within one year from the passage of this act."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 201, printed No. 186, entitled "An act to authorize the Knickerbocker Casualty Insurance Company to increase its capital stock," reported in favor of the passage of the same, with amendments as follows:

Strike out all after the enacting clause and insert as follows:

SECTION 1. Section twenty-one of chapter four hundred and sixty-three of the Laws of eighteen hundred and fifty-three, entitled "An act to provide for the incorporation of life and health insurance companies, and in relation to agencies of such companies," is hereby amended so as to read as follows:

§ 21. Any existing company incorporated by or authorized under

the Laws of this State for the purposes mentioned in this act may avail themselves of the provisions of this act after publishing their intentions for six weeks in the State paper, and obtaining the consent of the majority of the trustees or directors and complying with the third section of this act in relation to the filing and contents of the declaration therein referred to, and any existing company incorporated by or authorized under the Laws of this State, or any company formed under this law, to transact the business embraced in the second department of section one of the act hereby amended may, at any time, increase the amount of its capital stock upon the same proceedings being had as are required by a fire insurance company as provided in chapter four hundred and sixty-six of the Laws of eighteen hundred and fifty-three with the amendments thereto.

§ 2. This act shall take effect immediately.

Also to amend the title so title so that it will read :

"An act to amend chapter four hundred and sixty-three of the Laws of eighteen hundred and fifty-three, entitled 'An act to provide for the incorporation of life and health insurance companies, and in relation to agencies of such companies.'"

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 191, printed No. 176, entitled "An act for the relief of Theodore P. Ballou," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 422, printed No. 387, entitled "An act in relation to the valuation of the property of the president, managers, and company of the Delaware and Hudson Canal Company in school districts, for the purpose of taxation," reported in favor of the passage of the same, with amendments as follows:

Section five, line one, after the word "requested," insert "once each year;" same section, line two, after the word "company," insert "and to the trustees or board of education of each school district, to which any portion of said appropriation belongs."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 581, printed No. 508, entitled "An act in relation to the duties of supervisor for the town of Saratoga Springs," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 481, printed No. 435, entitled "An act to amend chapter eight hundred and seventeen of the Laws of eighteen hundred and seventy-three, entitled 'An act to provide for the support of the poor in the county of Jefferson,'" reported in favor of the passage of the same, with amendments as follows:

To add as section two the following:

§ 2. The action of the legal voters of the town of Henderson in electing Levi Crittenden as overseer of the poor on February seventeenth, one thousand eight hundred and eighty, is hereby ratified, legalized and confirmed.

Change section two to section three; also to amend the title by adding at the end thereof the following: "And to legalize the action of the legal voters of the town of Henderson in the election of an overseer of the poor."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 521, printed No. 467, entitled "An act in relation to companies insuring steam boilers," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 366, printed No. 339, entitled "An act to amend section eleven of an act entitled 'An act to incorporate the Society for the Relief of Half Orphan and Destitute Children in the city of New York,'" reported in favor of the passage of the same, with an amendment as follows:

Strike out all of section one after the word "society" in line eight.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

*Ordered*, That said bills be engrossed for a third reading.

By unanimous consent,

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Brennan (introductory No. 1039), entitled "An act to amend an act entitled 'An act to incorporate the Chateaugay Water Works Company,' passed May 5, 1868," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. C. S. Baker moved that the bill entitled "An act to provide for the protection and preservation of fish in the county of Monroe, State of New York," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate sent for concurrence a resolution in the words following:

*Resolved* (if the Assembly concur), That there be printed for the use of the Regents of the University, 1,000 extra copies of the Ninety-third Annual Report of the said Regents, on fine paper and bound in cloth, all to be paid for according to the prices stipulated in the contract for extra copies.

*Ordered*, That said resolution be referred to the committee on public printing.

Mr. Titus, from the sub-committee of the whole, called from the table a report in words following:

*Report of the sub-committee of the whole.*

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 693, printed No. 76, entitled "An act in relation to the port and harbor of New York and the waters near the same," reported in favor of the passage of the same, with amendments as follows:

Section one, line seven, strike out the words "of the Atlantic ocean;" same line, strike out the word "five," and insert "three."

Section two, line four, strike out the word "now."

Strike out all of section four.

Section five, line five, strike out the words "laws of the United States," and insert "provisions of this act."

To make section "five" section "four," and make section "six" section "five."

Mr. Titus, from the sub-committee of the whole, to which was

referred Assembly bill G. O. 277, printed No. 257, entitled "An act to amend chapter eighty of the Laws of eighteen hundred and seventy, entitled 'An act to provide for the enrollment of the militia for the organization of the national guard of the State of New York, and for the public defense, and entitled 'the Military Code,' " reported in favor of the passage of the same, with amendments as follows:

Section one, line thirteen, after the word "bands," insert "but not enlisted."

Section three, line five, strike out the word "such."

Section five, line six, after the word "musician," insert "not exceeding twenty-five in number."

Section eight, lines three and four, strike out the words "or separate troop, battery or company;" same section, line five, strike out the word "armories;" also in line six, strike out the words "or separate troop, battery or company."

Section nine, line fifteen, after the word "bands," insert "not enlisted;" same line, strike out the word "four;" same section, line twenty, strike out the words "one with the commandant of the regiment or battalion."

Section ten, line five, strike out the word "four."

Section eleven, line six, strike out the words "and musicians," and insert "and enlisted band."

Section twelve, strike out all of the section after the word "hereby" in the first line, and insert "repealed."

To add as section thirteen the following:

§ 13. Section one hundred and seventy-eight of said act is hereby amended so as to read as follows:

§ 178. The comptroller shall annually draw his warrant upon the treasurer in favor of the county treasurer of each county for the sum of one thousand five hundred dollars for each regiment, and the sum of one thousand dollars for each battalion, and the sum of one thousand dollars for each separate mounted battery, and the sum of two hundred dollars for each separate battery not mounted, and the sum of six hundred dollars for each separate troop of cavalry, and the sum of five hundred dollars for each separate company of infantry, certified by the adjutant-general to be organized according to the provisions of this act within the county; or in case any regiment, battalion or separate troop, battery or company of infantry is organized in two or more counties, then the comptroller shall draw his warrant in favor of such county treasurer as the adjutant-general may in his certificate direct; which sums, and also those paid in like manner by the State, in lieu of furnishing uniforms and equipments, as provided in section one hundred and thirteen of this act, together with the fines collected from delinquent officers, non-commissioned officers, musicians and privates, shall constitute the military fund of such regiment, battalion or separate troop, battery or company of infantry.

Section sixteen, line three, make the word "court" read "courts;" line four, make the word "court" read "courts;" line five, strike out the words "two weeks;" line seven, strike out word "the" after the word "of."

Section seventeen, line three, strike out word "the" after the word "before;" line four, strike out word "his."

Section eighteen, line three, strike out first word "such."



Section nineteen, line four, strike out word "offenses;" line five, strike out first word "or."

Section twenty, line nine, strike out word "the;" line twelve, strike out word "his" and insert "their."

Section twenty-one, line five, strike out word "or;" line six, strike out word "and;" line eight, after the word "troop" strike out word "or."

Section twenty-five, line sixteen, after the word "to" insert "court-martial;" line seventeen, strike out the words "of court-martial" and insert "thereof."

Also to change section thirteen to section fourteen, section fourteen to section fifteen, section fifteen to section sixteen, section sixteen to section seventeen, section seventeen to section eighteen, section eighteen to section nineteen, section nineteen to section twenty, section twenty to section twenty-one, section twenty-one to section twenty-two, section twenty-two to section twenty-three, section twenty-three to section twenty-four, section twenty-four to section twenty-five, section twenty-five to section twenty-six, section twenty-six to section twenty-seven.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 354, printed No. 476, entitled "An act for the better security of the bonds of public officers and others," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 522, printed No. 468, entitled "An act to amend an act entitled 'An act to amend and reduce to one act the several acts relating to buildings, and the keeping and storage of combustible materials in the city of New York,' passed May fourth, eighteen hundred and sixty-six," reported in favor of the passage of the same, with an amendment as follows:

To amend the title so that it will read.

"An act to amend chapter eight hundred and seventy-three of the Laws of eighteen hundred and seventy-six, entitled 'An act to amend and reduce to one act the several acts relating to buildings, and the keeping and storage of combustible materials in the city of New York.'"

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 336, printed No. 311, entitled "An act to reduce the width of Riker avenue, in Long Island City, in the county of Queens, from one hundred and thirty feet to eighty feet," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 625, printed No. 549, entitled "An act for the relief of the Union Plank Road Company," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 627, printed No. 551, entitled "An act to amend chapter three hundred and nineteen of the Laws of eighteen hundred and forty-eight, entitled 'An act for the incorporation of benevolent, charitable, scientific and missionary purposes,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 214, printed No. 197, entitled "An act to repeal chapter four hundred and fifty-eight of the Laws of eighteen

hundred and seventy-one, entitled 'An act to provide for the extension of the Rondout and Oswego railroad to the east bank of the Hudson river and to establish a ferry over said river,' reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 234, printed No. 217, entitled "An act in relation to uncollected taxes in the several towns and wards in this State," reported in favor of the passage of the same, with an amendment as follows:

Section one, line five, strike out the words "so long as the same shall remain unpaid" and insert "until the same is returned by said treasurer to the comptroller."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 580, printed No. 507, entitled "An act to suppress tippling and the drink trade in the county of Allegany," reported in favor of the passage of the same, with amendments as follows:

Section one, line two, change word "county" to "counties;" same line, after the word "Allegany" insert "and Steuben."

Section two, line two, change word "county" to "counties."

Section four, line one, change word "county" to "counties;" same line, after the word "Allegany" insert "and Steuben."

Section six, line five, change word "treasurer" to "treasurers;" same line, change the word "county" to "counties;" and insert after the word "counties" "respectively."

Section seven, line one, change word "county" to "counties."

Section nine, line two, change word "county" to "counties;" also add after the word "Allegany" "and Steuben."

To amend the title so that it will read:

"An act to suppress tippling and the drink trade in the counties of Allegany and Steuben."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 543, printed No. 487, entitled "An act to authorize deeds for burial lots in rural cemeteries to be recorded in any county in which any part of said cemeteries may be located," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 532, printed No. 477, entitled "An act to provide for the honorable discharge of certain members of the national guard," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 175, printed No. 162, entitled "An act in relation to the equalization of taxes and assessments in the county of Chemung, passed \_\_\_\_\_, eighteen hundred and eighty, three-fifths being present," reported in favor of the passage of the same, with amendments as follows:

Section two, line eleven, after the word "selected" insert "or a majority of them."

Also to amend the title so that it will read:

An act in relation to the equalization of taxes and assessments in the county of Chemung.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 312, printed No. 289, entitled "An act to

amend chapter one hundred and fifty-one of the Laws of eighteen hundred and seventy-three, entitled 'An act for the relief of stockholders of corporations whose certificates of stock have been lost or destroyed,' reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 418, printed No. 383, entitled "An act to amend chapter five, title two, part two of the Revised Statutes of the State of New York," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 688, printed No. 601, entitled "An act to provide for leasing wharf property necessary for ferry purposes along with the franchise of a ferry within the city of New York," reported in favor of the passage of the same, with an amendment as follows:

Section one, lines two and three, strike out the words "and directed."

By unanimous consent,

Mr. Russell moved to substitute Senate bill No. 126, entitled "An act to amend chapter 873 of the Laws of 1866, entitled 'An act to amend and reduce to one act the several acts relating to buildings, and the keeping and storage of combustible materials in the city of New York,' " for Assembly bill No. 468, on same subject.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said report, and it was determined in the affirmative.

*Ordered*, That said bills be engrossed for a third reading.

Pursuant to notice given, Mr. Sharpe moved to suspend the thirty-seventh and forty-first rules, for the purpose of referring Senate bill No. 99, general orders No. 113, entitled "An act to provide for the review and correction of illegal, erroneous or unequal assessment," to the special committee of taxation and assessment, with power to report complete.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

{ AYES 69 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	McCarthy	Shuit
Andrews	Cullinan	Miller	Sipp
Baker, B. F.	Curtis	Mitchell	Skinner
Baker, C. S.	Davis	Mooers	Slingerland
Beach	Deane	Morgan	Terpeny
Beates	Dougherty	Nowlan	Terry
Benedict, E. D.	Douglass	Parker	Thilemann
Benedict, T. E.	Evans	Peck	Titus
Brodsky	Ferris	Phillips	Tozier
Bullock	Hayes	Pitcher	Travis
Carpenter, E. A.	Husted	Potter	Tuthill, H. H.
Carpenter, I. S.	Lefever	Potts	Tuttle, R. M.
Case	Liddle	Roberts	Varnum
Oatlin	Lindsay	Root	Wells, D. A.
Chamberlain	Low	Seeley	Wells, J. L.
Chase	McAvoy	Shanley	Wren
Chickering	McCabe	Sherman	Youngs
Clowes			

The Senate sent for concurrence the bill entitled "An act to amend section 3 of chapter 312 of the Laws of 1838, entitled 'An act to appoint trustees of the Jones fund for the support of the poor of the towns of Oyster Bay and North Hempstead, in the county of Queens,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Youngs, and by unanimous consent, said bill was substituted for Assembly bill No. 416, on same subject, now in the sub-committee of the whole.

By unanimous consent,

Mr. Bullock, from the committee on public health, to which was referred the bill introduced by Mr. Travis (introductory No. 957), entitled "An act to regulate the practice of veterinary medicine and surgery in the State," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Bullock, from the committee on public health, to which was referred the bill introduced by Mr. Clowes (introductory No. 670), entitled "An act to repeal an act entitled 'An act to create a metropolitan sanitary district, so far as it relates to the town of Newton, in Queens county, and to provide for a board of health therein,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Speaker presented a petition asking for separate institutions for the detention and reformation of convicted women; which was read and referred to the committee on State prisons.

By unanimous consent,

Mr. Ferris presented a remonstrance against the passage of Assembly bill No. 22; which was read and referred to the committee having the bill in charge.

By unanimous consent,

Mr. Thilemann introduced a bill entitled "An act to provide for the payment of certain work executed in connection with the construction of the outlet sewer in East 42nd street, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

By unanimous consent,

Mr. Treanor introduced a bill entitled "An act in relation to arrears of personal taxes in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill entitled "An act for the relief of the Third Avenue Railroad Company, and to authorize the comptroller of the city of New York to pay the amount which may be found justly due to that company for services performed and material furnished in repairing certain streets in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent,

Mr. Travis offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 407, general orders No. 445, entitled "An act to amend section 1323 of the Code of Civil Procedure," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. E. A. Carpenter offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 542, general orders No. 617, entitled "An act to authorize corporations formed for the erection of buildings to mortgage their property and franchises," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Bradley introduced a bill entitled "An act to aid in the construction of sewers in the several cities and villages of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Alvord moved that this House do stand in recess until 4 P. M.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

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#### FOUR O'CLOCK, P. M.

The House again met.

The House resolved itself into a committee of the whole on the bills entitled as follows:

"An act to authorize the construction of a bridge over the Erie canal at Brockport, Monroe county, New York."

"An act in relation to druggists, grocers or dealers in merchandise, who deal in intoxicating liquors, wines, ale or beer."

"An act relating to the banks and prism of the Genesee Valley canal, and for the sale thereof."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Chamberlain, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Chamberlain, from said committee, also reported progress on the second and last named bills, and asked and obtained leave to sit again.

Mr. Alvord moved to discharge the committee of the whole from the further consideration of the second named bill, and that said bill be engrossed and ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. C. S. Baker moved to discharge the committee of the whole from the further consideration of the last named bill, and that said bill be engrossed and ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Travis introduced a bill entitled "An act to amend chapter 106

of the Laws of 1880, entitled 'An act to repeal chapter 515 of the Laws of 1879, entitled 'An act to amend chapter 625 of the Laws of 1875, entitled 'An act in relation to courts of record in the city and county of New York, and to revive chapter 625 of the Laws of 1875,''' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The House again resolved itself into committee of the whole, and after some time spent therein Mr. Speaker resumed the chair.

Mr. Curtis moved that the time of this session be extended until the bill under consideration be disposed of.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The House again resolved itself into a committee of the whole on the bill entitled as follows:

"An act to amend chapter 175 of the Laws of 1870, entitled 'An act regulating the sale of intoxicating liquors.'"

And after some time spent therein Mr. Speaker resumed the chair, and Mr. Morgan, from said committee, reported in favor of the passage of said bill, with amendments, which report was agreed to and the same ordered engrossed for a third reading.

On motion of Mr. Curtis, and at 6 o'clock and 5 minutes the House adjourned.

### WEDNESDAY MORNING, APRIL 14, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Frederic O. Granniss.

The journal of yesterday was read and approved.

Mr. Speaker directed the Clerk to call the roll of members to ascertain if a quorum was present, and the following members answered to their names:

Alvord	Cushing	Liddle	Sherman
Andrews	Deane	Lindsay	Sisson
Baker, C. S.	Douglass	Low	Skinner
Beates	Duell	McTernan	Slingerland
Benedict, T. E.	Duguid	Miller	Strait
Bradley	Ellis	Mooers	Tallmadge
Brennan	Evans	Morgan	Terpeny
Bridges	Ferris	Newman	Titus
Carpenter, E. A.	Fish	Nowlan	Tozier
Case	Fiske	O'Brien	Travis
Chamberlain	Fitzgerald	O'Connor	Tully
Chickering	Gorsline	Parker	Tuthill, H. H.
Clancy	Gray	Peck	Tuttle, R. M.
Clowes	Gwinup	Pitcher	Van Valkenburgh
Comstock	Havens	Potts	Waterbury
Congdon	Hoffman	Rhodes	Wells, D. A.
Cookinham	Howland	Root	Wells, J. L.
Crapser	Hurd	Russell	Weston
Cullinan	Kennedy	Sanders	Wren
Curtis	Lefever	Seeley	Mr. Speaker

A quorum being present,

Mr. Speaker announced the special order of the day being bill No.

604, entitled "An act to regulate the transportation of freight by railroad corporations.

The House then resolved itself into a committee of the whole, and after some time spent therein, Mr. Speaker resumed the chair.

Mr. Husted moved to suspend the further consideration of the special order until this afternoon.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Husted moved to take from the table the bill entitled "An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Husted moved to reconsider the vote by which said bill was lost.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 103 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Davis	Low	Skinner
Andrews	Deane	McAvoy	Slingerland
Baker, B. H.	Dougherty	McCabe	Steele
Baker, C. S.	Douglass	McCarthy	Strait
Beates	Duell	McTernan	Tallmadge
Benedict, E. D.	Duguid	Mead	Terpeny
Benedict, T. E.	Ellis	Miller	Terry
Bennett	Evans	Mitchell	Thilemann
Bradley	Ferris	Mooers	Titus
Brennan	Fish	Morgan	Tormey
Bridges	Fiske	Nowlan	Tozier
Brodsky	Fitzgerald	O'Connor	Travis
Bullock	Gibbs	Parker	Tully
Carpenter, E. A.	Gillette	Peck	Tuthill, H. H.
Carpenter, I. S.	Gorsline	Phillips	Tuttle, R. M.
Case	Gray	Pitcher	Van Valkenburgt
Catlin	Grosse	Potter	Varnum
Chamberlain	Gwinup	Potts	Walsh
Chase	Hagan	Rhodes	Warner
Chickering	Hayes	Sanders	Waterbury
Clark	Howland	Seeley	Wells, D. A.
Clowes	Husted	Sheridan	Wells, J. L.
Comstock	Kennedy	Sherman	Weston
Crapser	Lefever	Shuit	Wren
Cullinan	Liddle	Sipp	Youngs
Cushing	Lindsay	Sisson	

Those who voted in the negative, were

Beach

Mr. Husted moved to recommit said bill to the committee on ways and means with instructions to strike out, from line 166, of printed bill, down to and including line 178, as follows: "For payment of awards made by the board of audit, the sum of \$150,586.90, or so much thereof as may be necessary, as follows: For Francis Swift, \$39,375.12,

and for interest thereon, \$2,362.50 ; For Charles A. Danolds, \$65,000, and for interest thereon, \$3,900 ; for George Worthington, \$25,000, and for interest thereon, \$1,500 ; for Timothy J. Sullivan, \$8,346.18 ; for the county Erie, \$2,500, and for Allen Rutherford, \$2,603.10," being all of the items named in the awards made by the Board of Audit. Also from line 523, down to and including line 527, as follows : " For the support and maintenance of juvenile delinquents at the Protectory of the Society for the Protection of Destitute Roman Catholic Children of the city of Buffalo, the sum of \$12,500 ;" " for the support and maintenance of juvenile delinquents at the New York Catholic Protectory, \$50,000," being all of the items relative to the support and maintenance of juvenile delinquents, with instructions to report forthwith, and also to prepare two separate bills, one to include the former items, and one to include the latter, with power to report complete at any time.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Husted, and it was determined in the affirmative two-thirds of all the members present voting in favor thereof.

The committee on ways and means reported back said bill amended as instructed by the House.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 98 }  
{ NOES 4 }

Those who voted in the affirmative, were

Alvord	Cookinham	Low	Sipp
Andrews	Cullinan	McCabe	Sisson
Baker, B. F.	Curtis	Mead	Skinner
Baker, C. S.	Cushing	Miller	Steele
Beach	Davis	Mitchell	Terpeny
Bentley	Deane	Mooers	Terry
Benedict, E. D.	Dougherty	Morgan	Titus
Bennett	Douglass	Newman	Torney
Bradley	Duguid	Nowlan	Tozier
Brennan	Ferris	O'Brien	Travis
Bridges	Fish	Parker	Treanor
Brodsky	Fiske	Peck	Tully
Bullock	Fitzgerald	Phillips	Tuthill, H. H.
Carpenter, E. A.	Gibbs	Pitcher	Tuttle, R. M.
Carpenter, I. S.	Gillette	Potter	Van Valkenburgh
Case	Gorsline	Rhodes	Varnum
Catlin	Grosse	Root	Walsh
Chamberlain	Hagan	Russell	Warner
Chase	Howland	Sanders	Waterbury
Chickering	Hurd	Seeley	Wells, D. A.
Clancy	Husted	Shanley	Wells, J. L.
Clark	Kennedy	Sheridan	Weston
Clowes	Lefever	Sherman	Wren
Comstock	Liddle	Shuit	Youngs
Congdon	Lindsay		

Those who voted in the negative, were •

Benedict, T. E. Crapser

Ellis

Gwinup

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*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Varnum (introductory No. 1025), entitled "An act authorizing the purchase of land in the city of New York for the purpose of the National Guard," reported adversely thereto, which report was agreed to.

Mr. Husted, from the committee on ways and means, to which was referred the Senate bill (introductory No. 106), entitled "An act authorizing the appointment of commissioners to select a site for a State home for the blind," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Husted, from the committee on ways and means, to which was referred the Senate bill (introductory No. 161), entitled "An act making appropriations for the several judicial district libraries," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Alvord (introductory No. 958), entitled "An act to authorize the renewal of corporations whose corporate term has expired by limitation of time," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Fiske (introductory No. 954), entitled "An act to authorize aliens to purchase, hold and dispose of real estate," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. J. L. Wells (introductory No. 924), entitled "An act authorizing the incorporation of Villa park and suburban homestead associations," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Dougherty (introductory No. 922), entitled "An act to provide for payment of the expense of certain proceedings against public officers in the city of New York," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Husted (introductory No. 994), entitled "An act to amend chapter 806 of Laws of 1868, entitled 'An act to incorporate the Fire Proof Warehousing Company,' passed May 9, 1868," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. McCarthy (introductory No. 1007), entitled "An act to further amend chapter 448 of the Laws of 1876, entitled 'An act relating to the courts, officers of justice and civil proceedings,'" reported in favor of the passage of the same

with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. McCarthy (introductory No. 1005), entitled "An act to amend section 376 of the Code of Civil Procedure," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Shanley (introductory No. 1028), entitled "An act in relation to the sale and conveyance of any interest in real estate belonging to lunatics, idiots or habitual drunkards," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Russell (introductory No. 1013), entitled "An act to amend section 796 of the Code of Civil Procedure," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Cohen (introductory No. 1020), entitled "An act to incorporate the Friendship Association of the city of New York," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. B. F. Baker (introductory No. 492), entitled "An act to exempt the county of Saratoga from the provisions of act chapter 733, Laws of 1872," reported said bill for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Cookinham (introductory No. 10), entitled "An act providing for the compensation of the county judge and the surrogate of the county of Oneida," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Travis (introductory No. 1054), entitled "An act to amend chapter 106 of Laws of 1880, entitled 'An act to repeal chapter 515 of Laws of 1879, entitled 'An act to amend chapter 625 of Laws of 1875, entitled 'An act in relation to courts of record in the city and county of New York,' " reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 66), entitled "An act to regulate the dispensing and sale of poisons within this State," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 175), entitled "An act to

amend chapter 29 of the Laws of 1864, entitled 'An act to limit the term of office of notaries public,' reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 163), entitled "An act further to amend chapter 417 of the Laws of 1862, entitled 'An act to alter the term for which criminals may be sentenced to State prison, and to provide for their earning a commutation of sentence, and an increase of the amount to be paid them on their discharge,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum from the committee on affairs of cities, to which was referred the bill introduced by Mr. Brodsky (introductory No. 1029), entitled "An act to establish a police pension fund for disabled and retired members and the widows and children of deceased members of the police department of the city of New York," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 173), entitled "An act to amend chapter 53 of the Laws of 1879, entitled 'An act to revise the charter of the city of Auburn,'" reported in favor of the passage of the same with amendments.

On motion of Mr. Ferris, and by unanimous consent, said bill was referred to the sub-committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Clowes (introductory No. 721), entitled "An act to amend section 4 of article 1, title 2, chapter 11, part 1 of the Revised Statutes, relating to annual town meetings," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Sipp (introductory No. 1024), entitled "An act to amend chapter 482, Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Sharpe (introductory No. 741), entitled "An act to amend an act entitled 'An act to authorize the election of one overseer of the poor in the town of Saugerties, Ulster county,'" reported in favor of the passage of a substitute, which report was agreed to and said bill committed to the committee of the whole.

Mr. Weston, from the committee on roads and bridges, to which was referred the Senate bill (introductory No. 251), entitled "An act for shading public highways," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Bridges, from the committee on public printing, to which was referred the Senate resolution to print extra copies of the First Annual Report of the Trustees of the Binghamton Asylum for the Insane, reported in favor of concurring in the adoption of the following resolution:

*Resolved* (if the Assembly concur), That 1,000 copies of the First Annual Report of the Trustees of the Binghamton Asylum for the Insane be printed for the use of the trustees of the asylum.

Mr. Speaker put the question whether the House would concur in said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk return said resolution to the Senate with a message informing of concurrence therein.

Mr. Bridges, from the committee on public printing, to which was referred the resolution to print extra copies of the report of the New York Fishery Commission, reported in favor of the adoption of the following resolution:

*Resolved* (if the Senate concur), That 1,000 copies of the report of the New York Fishery Commission be printed for the use of the commissioners.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Bridges, from the committee on public printing, to which was referred the resolution to print extra copies of the report of the New York State Cattle Commission of 1879, reported in favor of the adoption of the following resolution:

*Resolved* (if the Senate concur), That 500 extra copies of the report of the New York State Cattle Commission of 1879 be printed for the use of said commission.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Warner, from the committee on trade and manufactures, to which was referred the Senate bill (introductory No. 180), entitled "An act to exempt certain corporations from the provisions of sections 5 and 6 and title 4, chapter 18, part 1 of the Revised Statutes, entitled 'special provision relating to certain corporations,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Titus, from the sub-committee of the whole, made a report from said committee, which was laid on the table and ordered printed.

(See Doc. No. 118.)

By unanimous consent,

Mr. Travis introduced a bill entitled "An act to amend chapter 332 of the Laws of 1875, entitled 'An act to amend chapter 610 of the Laws of 1874,' entitled 'An act to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes in the several towns of the county of Westchester,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Roberts offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor requesting the return of Assembly bill, printed No. 10, entitled "An act for the better security of mechanics, laborers and others who perform labor or furnish materials for buildings and other improvements on land in the city of Buffalo," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to legalize and confirm the action of the electors of the town of Wilmington, in the county of Essex."

"An act to provide for repairing or rebuilding and enlarging the City Hall in the city of Albany, for the use of said city and the use of county of Albany, and to provide means for the payment thereof."

"An act to amend chapter 140 of the Laws of 1850, entitled 'An act entitled 'An act to authorize the formation of railroad corporations and to regulate the same.'"

"An act to amend section 2 of chapter 405 of the Laws of 1879, entitled 'An act to amend sections 2 and 10 of chapter 248 of the Laws of 1878, entitled 'An act in relation to the election of officers in certain school districts.'"

"An act to ascertain, by proper proofs, the citizens who shall be entitled to the right of suffrage in cities of sixteen thousand inhabitants or upwards, and the towns and villages abutting against the boundary of any such cities."

"An act in relation to assessments for taxes in the village of Ellen-ville."

"An act to amend chapter 123 of the Laws of 1874, entitled 'An act to amend the charter of the Hudson Suspension Bridge and New England Railway Company.'"

"An act to amend chapter 519 of the Laws of 1870, entitled 'An act to revise the charter of the city of Buffalo.'"

By unanimous consent,

Mr. Varnum offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 453, general orders No. 501, entitled "An act to suppress intemperance by regulating the sale, keeping and disposal of intoxicating liquors," be made a special order for Wednesday, April 21st, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Steele offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 437, entitled "An act in relation to the taxation of savings banks and institutions for savings," and Assembly bill No. 459, entitled "An act to provide for the taxation of life insurance companies," be made special orders for Wednesday, April 21, 1880, at 4 o'clock, P. M.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The hour of two having arrived, the House took a recess until 4 P. M.

## FOUR O'CLOCK, P. M.

The House again met.

By unanimous consent,

Mr. Clancy introduced a bill entitled "An act to prohibit the mayor and common council of the city of Brooklyn from authorizing any railroad corporation to construct its road upon any portion of Water street, in said city, not named in the charter of such railroad corporation," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Clancy, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }  
{ NOES 3 }

Those who voted in the affirmative, were

Andrews	Ellis	Lindsay	Seeley
Baker, B. F.	Evans	Low	Sheridan
Beach	Ferris	McAvoy	Sherman
Beates	Fish	McCarthy	Shuit
Benedict, E. D.	Fiske	McTernan	Sipp
Benedict, T. E.	Fitzgerald	Mead	Sisson
Bridges	Gillette	Miller	Skinner
Brodsky	Gorsline	Moers	Strait
Carpenter, E. A.	Gray	Morgan	Tallmadge
Case	Griggs	Nowlan	Titus
Chamberlain	Grosse	O'Connor	Tormey
Chickering	Gwinup	Parker	Tozier
Clancy	Hagan	Peck	Travis
Comstock	Havens	Phillips	Treanor
Cookinham	Hoffman	Potts	Tully
Cullinan	Howland	Rhodes	Tuthill, H. H.
Curtis	Hurd	Root	Waterbury
Cushing	Lefever	Russell	Wren
Deane	Liddle	Sanders	Youngs
Duguid			

Those who voted in the negative, were

Alvord	Bradley	Pitcher
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*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Griggs introduced a bill entitled "An act to amend section 6 of title 4, chapter 2, article 1, part 4 of the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Griggs, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Duguid	Mead	Sipp
Andrews	Ellis	Miller	Sisson
Baker, B. F.	Evans	Mooers	Skinner
Beates	Ferris	Morgan	Slingerland
Benedict, T. E.	Fish	Nowlan	Steele
Bradley	Fitzgerald	O'Brien	Strait
Bridges	Gillette	O'Connor	Titus
Brodsky	Gorsline	Parker	Tormey
Case	Gray	Peck	Tozier
Chamberlain	Griggs	Phillips	Travis
Chickering	Gwinup	Pitcher	Tully
Clancy	Havens	Potter	Tuthill, H. H.
Clark	Hoffman	Potts	Van Valkenburgh
Clowes	Howland	Rhodes	Varnum
Comstock	Hurd	Root	Walsh
Congdon	Kennedy	Russell	Waterbury
Cookinham	Lefever	Sanders	Wells, D. A.
Cullinan	Liddle	Seeley	Wells, J. L.
Curtis	Lindsay	Sheridan	Wren
Deane	Low	Sherman	Youngs
Douglass	McAvoy	Shuit	Mr. Speaker
Duell	McDonald		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Fitzgerald offered for the consideration of the House a resolution in the words following:

*Whereas*, By the report of the Secretary of State to this House, dated March 10, 1880, in reply to a resolution for information in regard to encroachments that have been made by corporations and individuals upon the State-boundary line; that no grant or right has been given by any former Legislatures of this State to such corporations or individuals; therefore, be it

*Resolved* (if the Senate concur), That the harbor-masters and port-wardens be instructed to exercise and enforce their official authority over all vessels, lying at bulk-heads or piers, that are within the State line on the western shore of the North river, from the southern line of Communipaw dock to the line of low-water mark at the junction of the line crossing the North river, from Spuyten Duyvil creek to the western shore.

*And be it further resolved*, That the comptroller of the city of New York be advised, at his earliest opportunity, to collect the revenues and franchises from all ferries running from the above described shore;

That the tax commissioners of the city of New York be directed to assess and collect the taxes on all the property situated within the line of the city of New York, described in the Dongan-Montgomerie charters;

That the dock commissioners of the city of New York be directed to exercise the same authority on the western shore of the North river, along the above-mentioned line, as they now exercise on the eastern shore of said river;

That the corporation counsel of the city of New York be directed

to defend any suit and to act as counsel in any litigation brought about by the exercise of the aforesaid authority by the comptroller, tax commissioners and the dock commissioners of the city of New York.

*Ordered*, That said resolution be referred to the committee on commerce and navigation.

By unanimous consent.

Mr. Travis moved to discharge the committee of the whole from further consideration of the bill entitled "An act to amend chapter 106 of the Laws of 1880, entitled 'An act to repeal chapter 515 of the Laws of 1879, entitled 'An act to amend chapter 625 of the Laws of 1875, entitled 'An act in relation to courts of record in the city and county of New York, and to revive chapter 625 of the Laws of 1875,'" and that said bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Varnum offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill entitled "An act in regard to markets in the city of New York, and to provide for the rebuilding of the same, and the acquisition of land for market purposes," be recommitted to the committee on cities for amendment, retaining its place on third reading, with power to said committee to report at any time.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Skinner, and by unanimous consent, the committee of the whole was discharged from the further consideration of Senate bill entitled "An act to exempt certain corporations from the provisions of section 8, title 4, chapter 18, part 1 of the Revised Statutes, entitled 'special provisions relating to certain corporations,'" and said bill was ordered to a third reading.

The House, in committee of the whole, then resumed the special order, and after some time spent therein Mr. Speaker resumed the chair,

When Mr. Duguid moved to extend the time of this session until the bill under consideration was disposed of.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

The House again resolved itself into a committee of the whole on the bill entitled as follows:

"An act to regulate the transportation of freight by railroad corporations."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Chickering, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Duguid moved to discharge the committee of the whole from the further consideration of said bill, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.



{ AYES 73 }  
 { NOES 33 }

Those who voted in the affirmative, were

Baker, C. S.	Crapser	Howland	Shanley
Beach	Curtis	Hurd	Sherman
Beates	Cushing	Kennedy	Shuit
Benedict, T. E.	Davis	Lindsay	Sisson
Bradley	Deane	Low	Skinner
Brennan	Dougherty	McAvoy	Steele
Bridges	Duell	McCarthy	Strait
Brodsky	Duguid	McDonald	Terry
Bullock	Ellis	McTernan	Thilemann
Carpenter, I. S.	Evans	Mooers	Titus
Case	Ferris	O'Connor	Treanor
Chamberlain	Fish	Peck	Tully
Chickering	Fitzgerald	Phillips	Tuthill, H. H.
Clancy	Gibbs	Potts	Tuttle, R. M.
Clark	Gray	Rhodes	Walsh
Cohen	Grosse	Roberts	Waterbury
Congdon	Gwinup	Root	Wells, J. L.
Cookinham	Hagan	Seeley	Wren
Oostello			

Those who voted in the negative, were

Alvord	Gillette	Liddle	Russell
Andrews	Gorsline	McCabe	Sanders
Baker, B. F.	Griggs	Mead	Sipp
Carpenter, E. A.	Havens	Mitchell	Tallmadge
Clowes	Hayes	Morgan	Tozier
Comstock	Hoffman	Nowlan	Travis
Cullinan	Husted	Pitcher	Wells, D. A.
Douglass	Lefever	Potter	Youngs
Fiske			

*Ordered*, That said bill be engrossed for a third reading.  
 The hour of six having arrived, the House adjourned.

## THURSDAY MORNING, APRIL 15, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Clarke.

The journal of yesterday was read and approved.

On motion of Mr. Chickering, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill entitled "An act to provide for the organization and formation of companies for the purpose of increasing the water supply of Deer river, in Lewis county, in aid of the milling and manufacturing interests thereof," and said bill was ordered to a third reading.

Indefinite leave of absence was granted to Mr. Childs.

A message from the Senate was received and read, informing of concurrence in the bills entitled as follows:

"An act to provide for the refunding of a portion of the bonded debt of the town of Westchester, in the county of Westchester, and to restrict the power of the town officers to bond the said town, except as provided in chapter 193 of the Laws of 1877."

"An act to legalize and authorize the town of Mount Pleasant, in

the county of Westchester, to raise money to pay the estate of John O'Keefe, for loss sustained by said John O'Keefe as collector, by depositing the town funds in the First National Bank of Tarrytown."

"An act concerning the manufacture of salt and the inspection thereof."

"An act to repeal chapter 176 of the Laws of 1878, entitled 'An act to repeal chapter 416 of the Laws of 1876, entitled 'An act to amend chapter 440 of the Laws of 1873, entitled 'An act requiring commissioners of highways to act as inspectors of plankroads and turnpikes,' so far as the same relates to Ulster county."

"An act to simplify the proof of the Sanitary Code in the city of New York."

"An act to incorporate the American Jersey Cattle Club for improving the breeding of Jersey cattle in the United States."

"An act to amend section 3 of chapter 176 of the Laws of 1876, entitled 'An act supplementary to chapter 60 of the Laws of 1813, entitled 'An act to provide for the incorporation of religious societies,' and the acts supplementary thereto."

"An act in relation to arrears of taxes in the city of New York, and to provide for the reissuing of revenue bonds in anticipation of such taxes."

"An act to authorize the railroad commissioners of the town of Lowville, in Lewis county, to take up certain bonds which under chapter 14, section 4 of the Laws of 1873, may be taken up, and to issue others in place of said bonds at a lower rate of interest."

"An act to authorize the town of Madrid, in the county of St. Lawrence, to borrow money for the completion of the water-works in the village of Madrid, and for other purposes."

"An act to amend chapter 371 of the Laws of 1875, entitled 'An act to conform the charters of all savings banks or institutions for savings to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for their supervision and for the administration of their affairs."

"An act conferring additional powers upon the board of supervisors of the county of Franklin."

"An act to amend an act entitled 'An act to incorporate the Public Exchange,' passed April 22, 1868."

"An act to amend section 6 of title 4, chapter 2, article 1, part 4 of the Revised Statutes."

*Ordered*, That the Clerk deliver said bills to the Governor.

The Senate returned the bill entitled "An act to amend chapter 435 of the Laws of 1868, entitled 'An act to incorporate the village of Hamilton, in the county of Madison, and to repeal its present charter,' as amended by chapter 166 of the Laws of 1877, and by chapter 19 of the Laws of 1878," with a message that they have concurred in the amendments made therein in the Assembly, and as amended passed the same.

*Ordered*, That the Clerk deliver said bill to the Governor.

Mr. Speaker announced the special order of the day being the bill entitled "An act to create a board of railroad commissioners and to define and regulate their powers and duties."

The House then resolved itself into a committee of the whole on the bill entitled as follows:

"An act to create a board of railroad commissioners, and to define and regulate their powers and duties."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Tuttle, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. C. S. Baker moved that said bill be made a special order for this morning, immediately after the consideration of the second special order.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Speaker then announced the second special order of the day being the bill entitled "An act to provide for raising taxes for the use of the State upon certain associations, corporations and joint-stock companies."

The House again resolved itself into a committee of the whole on the bill entitled as follows:

"An act to provide for raising taxes for the use of the State upon certain associations, corporations and joint-stock companies."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Low, from said committee, reported progress on said bill, and that they have amended the title by striking out the word "associations" also the word "and," and inserted after the word "companies" the words "and associations," and asked and obtained leave to sit again.

Mr. Steele moved to discharge the committee of the whole from the further consideration of said bill, and that said bill be ordered to a third reading, with amendments adopted in committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the special order of the day being bill No. 605, entitled "An act to create a board of railroad commissioners, and to define and regulate their powers and duties."

The House again resolved itself into a committee of the whole, and after some time spent therein, Mr. Speaker resumed the chair.

And Mr. Alvord moved that the special order of the day which has been under consideration be considered this afternoon immediately after assembling.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Husted, from the committee on ways and means, to which was referred the resolution relative to the appropriations for the support and maintenance of juvenile delinquents, in the supply bill, with instructions to report a bill complete containing those items, reported by bill in accordance with said instructions, which report was agreed to and said bill placed on the order of third reading.

By unanimous consent,

Mr. Husted, from the committee on ways and means, to which was referred the resolution relative to the Board of Audit items, in the supply bill, with instructions to report a bill complete containing those items, reported by bill in accordance with said instructions, which report was agreed to and said bill placed on the order of third reading.

By unanimous consent,

The Senate sent for concurrence the bill entitled "An act appoint-

ing and directing the holding of a court of Oyer and Terminer in the county of Chemung," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Sharpe, and by unanimous consent, said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Low	Sisson
Andrews	Deane	Mead	Skinner
Baker, C. S.	Dougherty	Miller	Slingerland
Beach	Douglass	Mitchell	Steele
Beates	Duell	Mooers	Terpeny
Benedict, E. D.	Duguid	Morgan	Terry
Benedict, T. E.	Evans	Newman	Thilemann
Brennan	Ferris	Nowlan	Titus
Bridges	Fish	Parker	Tozier
Brodsky	Fiske	Peck	Travis
Bullock	Gray	Phillips	Treanor
Carpenter, E. A.	Griggs	Pitcher	Tully
Carpenter, I. S.	Grosse	Potter	Tuttle, R. M.
Case	Hagan	Potts	Van Valkenburgh
Catlin	Hayes	Rhodes	Varnum
Chase	Hoffman	Root	Walsh
Chickering	Howland	Russell	Warner
Clancy	Husted	Sanders	Wells, J. L.
Cohen	Ingersoll	Seeley	Weston
Comstock	Kennedy	Sherman	Wren
Congdon	Lefever	Shuit	Youngs
Curtis	Little	Sipp	Mr. Speaker

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Titus, from the sub-committee of the whole, presented a report from said committee, which was laid on the table and ordered printed.

(See Doc. No. 119.)

By unanimous consent,

Mr. Hayes introduced a bill entitled "An act providing for the appointment of an additional number of commissioners of deeds in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to fix and regulate the rates of toll on the Overlook Turnpike Company, in the counties of Ulster and Greene."

"An act to authorize joint-stock fire insurance companies to issue policies providing against loss or damage by lightning."

"An act to prevent malicious annoyance."

"An act to authorize the improvement of the public squares, parks

or places in the Fourth avenue between 67th and 96th streets in the city of New York."

"An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors.'"

"An act to amend chapter 369 of the Laws of 1868, entitled 'An act to amend the act incorporating the village of Phoenix, in the county of Oswego.'"

"An act to release the right, title and interest of the people of the State of New York of, in and to certain real estate of which George Johnson died seized to Catharine Johnson, his widow."

"An act to amend chapter 360 of the Laws of 1867, entitled 'An act to amend and consolidate the several acts in relation to the village of Rhinebeck.'"

"An act to amend chapter 463 of the Laws of 1853, entitled 'An act to provide for the incorporation of life and health insurance companies, and in relation to agencies of such companies.'"

"An act for the relief of Theodore P. Ballou."

"An act in relation to the duties of supervisor for the town of Saratoga Springs."

"An act in relation to companies insuring steam boilers."

"An act for the better security of the bonds of public officers and others."

"An act to amend chapter 319 of the Laws of 1848, entitled 'An act for the incorporation of benevolent, charitable, scientific and missionary societies.'"

"An act to repeal chapter 458 of the Laws of 1871, entitled 'An act to provide for the extension of the Rondout and Oswego railroad to the east bank of the Hudson river, and to establish a ferry over said river.'"

"An act in relation to uncollected taxes in the several towns and wards in this State."

"An act to provide for the honorable discharge of certain members of the National Guard."

"An act to amend chapter 106 of the Laws of 1880, entitled 'An act to repeal chapter 515 of the Laws of 1879, entitled 'An act to amend chapter 625 of the Laws of 1875, entitled 'An act in relation to courts of record in the city and county of New York,' and to revise chapter 625 of the Laws of 1875.'"

The hour of two having arrived, the House took a recess until 4 P. M.

#### FOUR O'CLOCK, P. M.

The House again met.

The Senate sent for concurrence the bill entitled "An act to allow the Fonda, Johnstown and Gloversville Railroad Company to purchase the Gloversville and Northville Railroad, and the franchises of said company," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Alvord, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

} AYES 87 }  
} NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	McTernan	Slingerland
Baker, B. F.	Douglass	Mead	Strait
Baker, C. S.	Duguid	Miller	Tallmadge
Beach	Ellis	Mitchell	Terpeny
Beates	Evans	Mooers	Titus
Benedict, E. D.	Ferris	Morgan	Tormey
Benedict, T. E.	Fish	Newman	Tozier
Bradley	Fiske	Peck	Travis
Brodsky	Fitzgerald	Phillips	Treanor
Bullock	Gibbs	Pitcher	Tully
Carpenter, E. A.	Gillette	Potter	Tuttle, R. M.
Case	Gwinup	Potts	Van Valkenburgh
Castlin	Hagan	Rhodes	Varnum
Chamberlain	Havens	Root	Warner
Chickering	Hoffman	Russell	Waterbury
Clancy	Howland	Sanders	Wells, D. A.
Clark	Hurd	Seeley	Wells, J. L.
Clowes	Husted	Sheridan	Weston
Cohen	Kennedy	Sherman	Wiley
Congdon	Lefever	Shuit	Youngs
Costello	Lindsay	Sipp	Mr. Speaker
Cullinan	Low	Skinner	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence therein.

By unanimous consent,

Mr. Tallmadge offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 512, general orders No. 000, entitled "An act to amend chapter 258 of the Laws of 1877, entitled 'An act to amend chapter 107 of the Laws of 1877, entitled 'An act in relation to the Superintendent of State Prisons, and for the more efficient and economical management of said prisons,'" be made a special order for Thursday P. M., April 22.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Hurd offered for the consideration of the House a concurrent resolution proposing amendments to article 7 of the Constitution; which was laid on the table and ordered printed.

(See Doc. No. .)

On motion of Mr. Hurd, said resolutions were ordered printed and placed on files of members.

By unanimous consent,

Mr. Skinner offered for the consideration of the House a resolution in words following:

*Resolved*, That the concurrent resolution proposing amendments to the Constitution in reference to biennial sessions of the Legislature, and, also, the concurrent resolution proposing amendments to the

Constitution in reference to canals, be taken from the table, referred to the committee of the whole, and made a special order for Thursday morning, April 22, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. C. S. Baker introduced a bill entitled "An act to provide for the relief of the city of Rochester, and the New York Central and Hudson River Railroad Company in said city," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. C. S. Baker, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. C. S. Baker introduced a bill entitled "An act requiring the Superintendent of Public Works to maintain that portion of the Genesee river feeder, lying within the limits of the city of Rochester, in such condition that it shall not be detrimental to the public health," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent,

Mr. Van Valkenburgh moved to discharge the committee of the whole from the further consideration of Assembly bill No. 564, general orders No. 648, entitled "An act to amend an act to incorporate the city of Lockport, etc.," and that said bill do now have its third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 95 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Lefever	Sherman
Andrews	Davis	Liddle	Shuit
Baker, B. F.	Deane	Lindsay	Sipp
Baker, C. S.	Dougherty	Low	Sisson
Beach	Douglass	McAvoy	Skinner
Beates	Duell	McDonald	Slingerland
Benedict, E. D.	Duguid	McTernan	Steele
Bridges	Evans	Mead	Tallmadge
Brodsky	Ferris	Miller	Terpeny
Bullock	Fish	Mitchell	Titus
Carpenter, E. A.	Fiske	Mooers	Tormey
Carpenter, I. S.	Fitzgerald	Morgan	Tozier
Case	Gibbs	Newman	Travis
Catlin	Gorsline	Nowlan	Treanor
Chamberlain	Gray	Peck	Tully
Chickering	Gwinup	Phillips	Tuttle, R. M.
Clancy	Hagan	Pitcher	Van Valkenburgh
Clark	Hayes	Potter	Varnum

Clowes	Hoffman	Potts	Warner
Cohen	Howland	Rhodes	Waterbury
Comstock	Hurd	Root	Wells, J. L.
Congdon	Husted	Russell	Youngs
Costello	Ingersoll	Sanders	Mr. Speaker
Cullinan	Kennedy	Sheridan	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Duguid introduced a bill entitled "An act to amend chapter 780 of the Laws of 1868, entitled 'An act in relation to a system of sewerage in and for the city of Syracuse,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Duguid, and by unanimous consent, said bill was ordered to a third reading.

On motion of Mr. Duguid, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill entitled "An act to amend chapter 340 of the Laws of 1878, entitled 'An act in relation to the repaving of streets in the city of Syracuse, and to amend the charter of said city,'" and the bill entitled "An act to authorize the trustees of the Manlius Academy to transfer and convey their academic property to the board of education of union free school No. 6, in the town of Manlius, of the county of Onondaga," and said bills were ordered to a third reading.

By unanimous consent,

Mr. Potter introduced a bill entitled "An act authorizing the trustees of the village of Saratoga Springs to purchase hose for the use of the fire department of said village," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Potter, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Husted	Sanders
Andrews	Cushing	Ingersoll	Seeley
Baker, B. F.	Davis	Kennedy	Sherman
Baker, C. S.	Deane	Lefever	Shuit
Beach	Douglass	Low	Sipp
Beates	Duell	McAvoy	Skinner
Benedict, E. D.	Duguid	McDonald	Slingerland
Bennett	Ellis	McTernan	Steele
Bradley	Evans	Mead	Tallmadge
Brennan	Ferris	Miller	Terpeny
Brodsky	Fish	Mitchell	Titus
Bullock	Fiske	Mooers	Tozier
Carpenter, E. A.	Fitzgerald	Morgan	Travis
Carpenter, I. S.	Gibbs	Newman	Tully
Case	Gorsline	Nowlan	Tuttle, R. M.
Catlin	Gray	Peck	Van Valkenburgh
Chamberlain	Griggs	Phillips	Varnum



Chickering	Gwinup	Pitcher	Warner
Clark	Hagan	Potter	Waterbury
Olowes	Havens	Potts	Wells, D. A.
Cohen	Hoffman	Rhodes	Wells, J. L.
Comstock	Howland	Root	Wren
Congdon	Hurd	Russell	Youngs
Costello			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Mitchell introduced a bill entitled "An act relating to certain local improvements and assessments in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities. Accompanied by a memorial.

On motion of Mr. Travis, and by unanimous consent, the committee of the whole was discharged from the further consideration of Senate bill entitled "An act to amend chapter 611 of the Laws of 1875, entitled 'An act to provide for the organization and regulation of certain business corporations,'" and said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 91 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	Lefever	Sherman
Andrews	Davis	Lindsay	Shuit
Baker, B. F.	Dougherty	Low	Sipp
Baker, C. S.	Douglass	McAvoy	Sisson
Beach	Duguid	McCabe	Skinner
Beates	Ellis	McTernan	Slingerland
Benedict, E. D.	Evans	Mead	Tallmadge
Benedict, T. E.	Ferris	Miller	Terpeny
Bennett	Fish	Mitchell	Terry
Bridges	Fiske	Mooers	Titus
Brodskey	Fitzgerald	Morgan	Tozier
Bullock	Gibbs	Newman	Travis
Carpenter, E. A.	Gorsline	Nowlan	Tully
Case	Gray	Peck	Tuttle, R. M.
Oatlin	Griggs	Phillips	Van Valkenburgh
Chase	Hagan	Pitcher	Varnum
Chickering	Havens	Potter	Warner
Clancy	Hayes	Potts	Waterbury
Olowes	Hoffman	Roberts	Wells, D. A.
Cohen	Hurd	Root	Wren
Congdon	Husted	Russell	Youngs
Costello	Ingersoll	Sanders	Mr. Speaker
Cullinan	Kennedy	Seeley	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Gray offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 669, general orders 788, entitled "An act to regulate the dimensions and measurement of apple barrels," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 93), entitled "An act for the removal of the reservoir in the city of New York, between 40th and 42d streets," reported said bill for the consideration of the House with amendments, and title amended so as to read as follows: "An act authorizing the removal of the reservoir of Fifth avenue in the city of New York, as a local improvement in said city, and the establishment of a public park upon the site thereof and land adjoining the same," which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Howland introduced a bill entitled "An act to authorize the village of Jordan to borrow money for the purpose of macadamizing or otherwise improving the streets of said village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

By unanimous consent,

Mr. Catlin offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 606, general orders No. 694, entitled "An act to enable marine insurance companies to amend their charters," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Phillips introduced a bill entitled "An act to legalize the official acts of Daniel F. St. John, a justice of the peace of the town of Clarendon, in the county of Orleans," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Phillips, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Lefever	Shuit
Andrews	Deane	Low	Sipp
Baker, B. F.	Douglass	McTernan	Skinner
Baker, O. S.	Duguid	Mead	Slingerland
Beach	Ellis	Miller	Steele
Beates	Evans	Mitchell	Strait
Benedict, E. D.	Ferris	Moore	Tallmadge
Brennan	Fish	Morgan	Terpeny
Bridges	Fiske	Newman	Terry
Bredsky	Fitzgerald	Nowlan	Titus
Bullock	Gorsline	Parker	Tormey

Case	Gray	Peck	Tozier
Catlin	Griggs	Phillips	Travis
Chamberlain	Gwinup	Pitcher	Tully
Chase	Hagan	Potter	Tuttle, R. M.
Chickering	Hayes	Potts	Van Valkenburgh
Clowes	Hoffman	Roberts	Varnum
Comstock	Howland	Root	Waterbury
Congdon	Hurd	Russell	Wells, D. A.
Costello	Husted	Sanders	Wren
Curtis	Ingersoll	Sherman	Youngs
Cushing	Kennedy		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence the bills entitled as follows:

"An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

"An act to amend chapter 467 of the Laws of 1870, entitled 'An act in relation to the county courts,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the improvement of certain rivers, and to facilitate the running and driving of saw logs, lumber and timber down the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to amend chapter 279 of the Laws of 1833, entitled 'An act requiring mortgages of personal property to be filed in the town clerks' and other offices,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

"An act to amend title 2 of chapter 5, part 2 of the Revised Statutes, entitled 'Of the custody and disposition of the estates of idiots, lunatics, persons of unsound mind and drunkards,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 46 of the Laws of 1872, entitled 'An act to amend an act entitled 'An act to amend and consolidate the charter of the village of Middletown,' passed March 31, 1866,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

"An act to provide for a further appropriation of moneys for the maintenance of the public parks of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act making it a felony to steal, destroy or conceal a will, codicil, or other testamentary instrument," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the sale of the stock held by the city of Rome in the Rome and Clinton Railroad Company, and to authorize the application of the proceeds to the payment of the bonds of said city issued in payment for said stock," which was read the first time, and

by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to amend chapter 90 of the Laws of 1865, entitled 'An act to amend and consolidate the several acts relating to the village of Iliou,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

"An act to amend chapter 361 of the Laws of 1871, entitled 'An act to facilitate the admission of certain wills as evidence in courts of justice,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to regulate the appointment and compensation of janitors for the several armories in the county of Kings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on militia.

"An act to provide for the removal of eel weirs and other devices for taking fish from the Wallkill river, and to prevent the maintenance of such devices," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

"An act for the relief of Lawrence Collins," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to repeal chapter 281 of the Laws of 1876, entitled 'An act to amend an act entitled 'An act to provide for a supply of water in the village of Cohoes,' and also section 2 of chapter 275 of the Laws of 1870, entitled 'An act to amend an act entitled 'An act to provide for a supply of water in the village of Cohoes,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

"An act to amend chapter 392 of the Laws of 1873, entitled 'An act for the relief of the Corning library,' which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Tuttle, said bill was substituted for Assembly bill on same subject, and referred to the sub-committee of the whole.

"An act to improve Jackson avenue in Long Island City," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act for the better preservation of trees and shrubbery on the islands in Lake George," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to amend title 3 of chapter 5, part 3 of the Revised Statutes, entitled 'Of the partition of lands owned by several persons,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act in relation to the sheriff of the city and county of New York," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Dougherty, said bill was substituted for Assembly bill No. 369, on same subject, now on order of third reading.

"An act to authorize corporations formed for the erection of buildings to mortgage their property and franchises," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. E. A. Carpenter, said bill was substituted for Assembly bill No. 542, on same subject, now on order of third reading.

"An act to amend chapter 918 of the Laws of 1871, entitled 'An act to amend the charter of the city of Cohoes,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act further to amend chapter 449 of the Laws of 1853, entitled 'An act to amend the act incorporating the village of Attica,' passed May 2, 1837, to alter the bounds and to enlarge the powers of the corporation of said village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

"An act to amend chapter 902 of the Laws of 1869, entitled 'An act to amend an act entitled 'An act to authorize life insurance companies to make special deposits of securities in the insurance department, and to authorize the superintendent of said department to require special reports of such companies, passed April 24, 1867, and also to provide for the appointment of receivers of such depositing companies in certain cases,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

"An act to repeal chapter 107 of the Laws of 1878, entitled 'An act requiring justices of the peace to give bonds,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the owner and holder of any mortgage or other lien on real estate in this State to pay the taxes and assessments thereon, and also to redeem such real estate from tax sales, and to collect the sums so paid with interest," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the agent and warden of Clinton prison to make certain contracts for the benefit of the State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

"An act to amend chapter 264 of the Laws of 1851, entitled 'An act to amend the act entitled 'An act to incorporate the village of Bath, in the county of Steuben,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

"An act to amend chapter 176 of the Laws of 1872, entitled 'An act in relation to the village of Canandaigua; and to provide a police justice and police constables in said village, and defining their jurisdiction, power and duties,' which was read the first time, and by unanimous consent was also read the second time.

"An act to amend chapter 407 of the Laws of 1876, entitled 'An act extending the powers of the trustees of the village of Canandaigua,' which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Mr. Case offered for the consideration of the House a resolution in the words following:

*Resolved*, That Senate bill No. 211, relating to the village of Canandaigua, be substituted for Assembly bill No. 498, on the same sub-

ject, and now referred to the sub-committee of the whole; and that Senate bill No. 212, also relating to the village of Canandaigua, be substituted for Assembly bill No. 499, on the same subject, and now referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

The Senate sent for concurrence a resolution in words following :

*Resolved* (if the Assembly concur), That a respectful message be sent to His Excellency the Governor, requesting the return, for amendment, of Senate bill No. 21, general orders No. 10, entitled "An act to amend chapter 446 of the Laws of 1874, entitled 'An act to revise and consolidate the statutes of the State relative to the care and custody of the insane, the management of the asylums for their treatment and safe-keeping, and the duties of the State Commissioner in Lunacy.'"

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

The Senate sent for concurrence the following resolution :

*Resolved* (if the Assembly concur), That the Commissary-General and Chief of Ordnance be, and is hereby, authorized to issue to the Soldiers and Sailors' Home at Bath, on the requisition of the superintendent, one field piece and arms, ammunition and equipments for one hundred men. The superintendent of the Home to receipt for and to be accountable to the State for the same.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

A message was received from the Governor, in words following :

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, April 12, 1880. }

*To the Assembly :*

Pursuant to a joint resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 158, entitled "An act making appropriations for the support of government."

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Lefever	Sherman
Andrews	Cushing	Lindsay	Shuit
Baker, B. F.	Davis	Low	Sipp
Baker, C. S.	Deane	Mead	Skinner
Beach	Dougherty	Miller	Steele
Beates	Douglass	Mitchell	Thilemann
Benedict, E. D.	Duguid	Moors	Terry

Benedict, T. E.	Ellis	Morgan	Titus
Bradley	Evans	Newman	Tozier
Brennan	Ferris	Nowlan	Travis
Bridges	Fish	O'Brien	Treanor
Brodskey	Fiske	Peck	Tully
Bullock	Fitzgerald	Phillips	Tuthill, H. H.
Carpenter, E. A.	Gorsline	Pitcher	Tuttle, R. M.
Case	Gray	Potter	Van Valkenburgh
Catlin	Griggs	Potts	Varnum
Chase	Hagan	Rhodes	Warner
Chickering	Hoffman	Root	Wells, D. A.
Claney	Howland	Russell	Wells, J. L.
Clark	Hurd	Sanders	Wren
Clowes	Husted	Seeley	Youngs
Comstock	Ingersoll	Shanley	Mr. Speaker
Congdon	Kennedy	Sheridan	

On motion of Mr. Husted, and by unanimous consent, said bill was amended in words following :

Page 2, line 19, after the word "appeals" insert the words "and the State Treasurer."

Page 4, line 11, after the word "salary" insert the words "and for indexing the session laws and making marginal notes thereof."

Page 20, line 8, strike out the word "thousand" and insert the word "hundred."

As amended, said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 101 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costello	Husted	Sherman
Andrews	Cullinan	Ingersoll	Shuit
Baker, B. F.	Curtis	Kennedy	Sipp
Baker, C. S.	Cushing	Lefever	Skinner
Beach	Davis	Lindsay	Slingerland
Beates	Deane	Low	Steele
Benedict, E. D.	Douglass	McTernan	Strait
Benedict, T. E.	Duell	Mead	Tallmadge
Bennett	Duguid	Miller	Terpen
Bradley	Ellis	Mitchell	Terry
Brennan	Evans	Mooers	Titus
Bridges	Ferris	Morgan	Tozier
Brodskey	Fish	Newman	Travis
Bullock	Fiske	Nowlan	Treanor
Carpenter, E. A.	Fitzgerald	O'Brien	Tully
Carpenter, I. S.	Gorsline	Peck	Tuthill, H. H.
Case	Gray	Phillips	Tuttle, R. M.
Catlin	Griggs	Pitcher	Van Valkenburgh
Chamberlain	Gwinup	Potter	Varnum
Chase	Hagan	Potts	Warner
Chickering	Havens	Rhodes	Wells, D. A.
Claney	Hayes	Root	Wells, J. L.
Clark	Hoffman	Russell	Weston
Clowes	Howland	Sanders	Wren
Comstock	Hurd	Seeley	Youngs
Congdon			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A message was received from the Governor, in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, April 15, 1880. }

*To the Assembly:*

In accordance with a joint resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 10, entitled "An act for the better security of mechanics, laborers and others who perform labor or furnish materials for building and other improvements on land in the city of Buffalo."

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Husted	Sherman
Andrews	Costello	Ingersoll	Shuit
Baker, B. F.	Cullinan	Kennedy	Sipp
Baker, C. S.	Curtis	Lefever	Skinner
Beach	Cushing	Low	Slingerland
Beates	Davis	Mead	Steele
Benedict, E. D.	Deane	Miller	Strait
Benedict, T. E.	Douglass	Mitchell	Tallmadge
Bennett	Duell	Mooers	Terpeny
Bradley	Duguid	Morgan	Terry
Brennan	Ellis	Newman	Titus
Bridges	Evans	Nowlan	Tozier
Brodsky	Ferris	O'Brien	Travis
Bullock	Fish	Peck	Tully
Carpenter, E. A.	Fiske	Phillips	Tuthill, H. H.
Case	Fitzgerald	Pitcher	Tuttle, R. M.
Oatlin	Goralline	Potter	Van Valkenburgh
Chamberlain	Griggs	Potts	Warner
Chickering	Gwinup	Rhodes	Wells, D. A.
Clancy	Hagan	Root	Wells, J. L.
Clark	Havens	Sanders	Wren
Clowes	Hoffman	Seeley	Youngs
Comstock	Hurd		

On motion of Mr. Hurd, and by unanimous consent, said bill was amended in words following:

Amend section 22 by adding at the end thereof the following:

"Except that the provisions of this act relating to the fees to be paid to the county clerk of Erie county for entering and filing the claim, as provided in this act, shall not take effect until January 1, 1883."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a



majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	McTernan	Shuit
Andrews	Deane	Mead	Sipp
Baker, B. F.	Douglass	Miller	Skinner
Baker, C. S.	Duguid	Mitchell	Slingerland
Beach	Evans	Mooers	Steele
Beates	Fish	Morgan	Strait
Bradley	Fiske	Newman	Terpeny
Brennan	Fitzgerald	Nowlan	Terry
Bridges	Gorsline	O'Brien	Titus
Brodsky	Gray	Peck	Tozier
Bullock	Griggs	Phillips	Travis
Carpenter, E. A.	Gwinup	Pitcher	Treanor
Case	Hagan	Potter	Tully
Catlin	Havens	Potts	Tuthill, H. H.
Chamberlain	Hoffman	Rhodes	Tuttle, R. M.
Chase	Howland	Root	Van Valkenburgh
Chickering	Hurd	Russell	Varnum
Clowes	Husted	Sanders	Warner
Comstock	Ingersoll	Seeley	Waterbury
Congdon	Kennedy	Shanley	Wells, D. A.
Oullinan	Lefever	Sheridan	Wren
Ourtis	Lindsay	Sherman	Youngs
Cushing	Low		

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the bill entitled "An act to repeal chapter 374 of the Laws of 1876, entitled 'An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,'" with a message that they have non-concurred in the passage of the same.

The Senate returned the bill entitled "An act to amend section 1 of chapter 498 of the Laws of 1872, entitled 'An act for the protection of livery-stable keepers and other persons keeping horses at livery or pasture,'" with a message that they have concurred in the passage of the same, with the following amendments:

Section 1, line 16, strike out all after the word "said," and in same section, line 17, strike out the words "and other."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Ingersoll	Sanders
Andrews	Cushing	Kennedy	Seeley
Baker, B. F.	Davis	Lefever	Sheridan
Baker, C. S.	Deane	Lindsay	Sherman
Beach	Douglass	Low	Shuit

Beates	Duell	McCarthy	Sipp
Benedict, E. D.	Duguid	McTernan	Skinner
Benedict, T. E.	Ellis	Mead	Slingerland
Bradley	Evans	Miller	Steele
Brennan	Ferris	Mitchell	Strait
Bridges	Fish	Mooers	Tallmadge
Brodsky	Fiske	Morgan	Terpeny
Bullock	Fitzgerald	Newman	Terry
Carpenter, E. A.	Gorsline	Nowlan	Titus
Oase	Gray	O'Brien	Tormey
Catlin	Griggs	Peck	Tozier
Chamberlain	Gwinup	Phillips	Travis
Chase	Hagan	Pitcher	Tuthill, H. H.
Chickering	Hayes	Potter	Tuttle, R. M.
Olask	Hoffman	Potts	Van Valkenburgh
Clowes	Howland	Rhodes	Varnum
Cohen	Hurd	Root	Wells, D. A.
Comstock	Husted	Russell	Wren
Congdon			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned the bill entitled "An act to amend section 5, title 3 of chapter 291, Laws of 1870, entitled 'An act for the incorporation of villages,'" with a message that they have concurred in the passage of the same, with the following amendments:

In section 5, line 6, of engrossed bill, after the word "companies" insert "and one or more protective companies;" line 10, same section, after the word "hose" insert "and protective companies."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 95 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Lefever	Sherman
Andrews	Deane	Lindsay	Shuit
Baker, B. F.	Dougherty	Low	Sipp
Baker, C. S.	Douglass	McCarthy	Skinner
Beach	Duell	Mead	Slingerland
Beates	Duguid	Miller	Steele
Benedict, T. E.	Ellis	Mitchell	Strait
Bennett	Evans	Mooers	Tallmadge
Bradley	Ferris	Morgan	Terpeny
Brennan	Fish	Newman	Terry
Bridges	Fiske	Nowlan	Titus
Brodsky	Fitzgerald	O'Brien	Tormey
Bullock	Gorsline	Peck	Travis
Carpenter, E. A.	Gray	Phillips	Treanor
Catlin	Griggs	Pitcher	Tully
Chase	Gwinup	Potter	Tuthill, H. H.
Chickering	Hagan	Potts	Tuttle, R. M.
Clancy	Hayes	Rhodes	Van Valkenburgh
Clark	Hoffman	Root	Varnum
Clowes	Howland	Russell	Warner
Comstock	Hurd	Sanders	Wells, J. L.
Congdon	Husted	Seeley	Wren
Curtis	Ingersoll	Shanley	Youngs
Cushing	Kennedy	Sheridan	

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned the bill entitled "An act to provide for the construction, care and maintenance of the bridges over the Bronx river, between the city and county of New York and the county of Westchester," with a message that they have concurred in the same, with the following amendments:

Strike out all of "section 3," and make "section 4" "section 3."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative.

{ AYES 89 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Kennedy	Shuit
Andrews	Curtis	Lefever	Sipp
Baker, B. F.	Cushing	Lindsay	Skinner
Baker, C. S.	Davis	McCarthy	Slingerland
Beach	Deane	Mead	Steele
Beates	Douglass	Miller	Strait
Benedict, E. D.	Duell	Mitchell	Tallmadge
Benedict, T. E.	Duguid	Mooers	Terpeny
Bennett	Ellis	Morgan	Terry
Bradley	Evans	Newman	Titus
Brennan	Ferris	Nowlan	Tozier
Bridges	Fish	O'Brien	Travis
Brodsky	Fiske	Peck	Tully
Bullock	Fitzgerald	Phillips	Tuthill, H. H.
Carpenter, E. A.	Gorsline	Pitcher	Tuttle, R. M.
Case	Griggs	Potter	Van Valkenburgh
Catlin	Hagan	Potts	Varnum
Chase	Havens	Rhodes	Waterbury
Chickering	Hoffman	Russell	Wells, J. L.
Clancy	Howland	Seeley	Weston
Clark	Hurd	Sheridan	Wren
Clowes	Ingersoll	Sherman	Youngs
Comstock			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

A message was received from the Governor in the words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, April 8, 1880. }

*To the Assembly:*

Pursuant to a joint resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 70, entitled "An act to ascertain the citizens of the several towns in any county of this State having a population of over three hundred thousand, according to the last census, who shall be entitled to the right of suffrage therein."

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 10 }

Those who voted in the affirmative, were

Alvord	Crapser	Ingersoll	Sheridan
Andrews	Curtis	Kennedy	Sherman
Baker, B. F.	Davis	Lefever	Shuit
Baker, C. S.	Deane	Lindsay	Sipp
Beach	Douglass	Low	Skinner
Beates	Duell	McCarthy	Slingerland
Bradley	Duguid	Miller	Steele
Brennan	Ellis	Mitchell	Terry
Bridges	Evans	Mooers	Titus
Brodsky	Ferris	Morgan	Tozier
Bullock	Fish	Nowlan	Travis
Carpenter, E. A.	Fiske	O'Brien	Tuthill, H. H.
Catlin	Fitzgerald	Peck	Tuttle, R. M.
Chamberlain	Gorsline	Phillips	Van Valkenburgh
Chase	Gray	Pitcher	Varnum
Chickering	Griggs	Potter	Warner
Clark	Hayes	Potts	Waterbury
Clowes	Howland	Russell	Wells, J. L.
Comstock	Hurd	Sanders	Wren
Congdon	Husted	Seeley	Youngs

Those who voted in the negative, were

Benedict, T. E.	Cohen	McDonald	Shanley
Bennett	Cushing	Rhodes	Tully
Clancy	Havens		

On motion of Mr. Wren, said bill was amended in words following:

Section 1, line 4, between the words "last" and "census" place the word "State," so as to make it read the "last State census."

Section 00, line 11, after the words "in said town," strike out the word "within" and insert the words "not less than three or more than ten days thereafter."

Section 3, line 2, after the words "in alphabetical order," insert the words "for each election district."

On line 5, section 9, in place of "ten days," read "one week."

Add to section 9 the following: "And no person shall be allowed to vote save in the election district of which he is a resident."

Add to section 10 the words "or that such person had become a citizen, by naturalization, ten days prior to the day of election."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 72 }  
{ NOES 26 }

Those who voted in the affirmative, were

Alvord	Congdon	Kennedy	Sherman
Andrews	Crapser	Lefever	Shuit
Baker, B. F.	Cullinan	Lindsay	Sipp
Baker, C. S.	Curtis	Low	Skinner
Beach	Davis	Miller	Slingerland
Beates	Deane	Mitchell	Steele
Bradley	Douglass	Mooers	Tallmadge

Brennan	Duell	Morgan	Terry
Bridges	Duguid	Nowlan	Titus
Brodsky	Evans	Peck	Tozier
Bullock	Ferris	Phillips	Tuthill, H. H.
Carpenter, E. A.	Fish	Potter	Tuttle, R. M.
Case	Gorsline	Potts	Van Valkenburgh
Chamberlain	Gray	Root	Varnum
Chickering	Howland	Russell	Warner
Clark	Hurd	Sanders	Wells, J. L.
Clowes	Husted	Seeley	Wren
Comstock	Ingersoll	Sheridan	Youngs

Those who voted in the negative, were

Benedict, T. E.	Ellis	McDonald	Thilemann
Bennett	Fitzgerald	McTernan	Tormey
Catlin	Gibbs	Newman	Treanor
Clancy	Hagan	Rhodes	Tully
Cohen	Havens	Shanley	Walsh
Costello	Hoffman	Strait	Wiley
Cushing	McCarthy		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

The Senate sent for concurrence the concurrent resolution relative to the toll-sheet for 1880.

By unanimous consent,

Said resolution was concurred in.

Mr. Speaker announced the special order of the day, being Assembly bill entitled "An act to create a board of railroad commissioners, and to define and regulate their powers and duties."

The House then resolved itself into committee of the whole, on the bill entitled as follows:

"An act to create a board of railroad commissioners, and to define and regulate their powers and duties."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Tuttle, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. C. S. Baker moved to discharge the committee of the whole from the further consideration of said bill, and that the same be ordered engrossed and to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

{ AYES 43 }  
{ NOES 54 }

Those who voted in the affirmative, were

Baker, C. S.	Clark	Gwinup	Seeley
Beach	Congdon	Howland	Sherman
Beates	Crapser	Ingersoll	Shuit
Benedict, T. E.	Cullinan	Kennedy	Skinner
Bradley	Curtis	Lindsay	Slingerland
Brennan	Davis	Low	Steele
Bridges	Deane	Miller	Titus
Case	Duguid	Mooers	Tuthill, H. H.
Chamberlain	Evans	Peck	Varnum
Chickering	Ferris	Phillips	Wells, J. L.
Clancy	Fish	Root	

Those who voted in the negative, were

Alvord	Dougherty	McDonald	Terpeny
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ews	Douglass	Mead	Terry
r, B. F.	Duell	Mitchell	Thilemann
dict, E. D.	Fiske	Morgan	Tozier
sky	Fitzgerald	Newman	Travis
ek	Gibbs	Pitcher	Treanor
enter, E. A.	Goralline	Potter	Tully
1	Gray	Potts	Tuttle, R. M.
2	Havens	Rhodes	Van Valkenburgh
es	Hayes	Russell	Waterbury
n	Hoffman	Sanders	Wells, D. A.
tock	Husted	Sheridan	Weston
llo	Lefever	Strait	Youngs
ng	McCarthy		

ie hour of six having arrived, the House adjourned.

### FRIDAY MORNING, APRIL 16, 1880.

The House met pursuant to adjournment.

ayer by Rev. Dr. Walsh.

ie journal of yesterday was read and approved.

ie Senate sent for concurrence the bill entitled "An act to amend ter 287 of the Laws of 1872, entitled 'An act to incorporate the d of Home Missions of the Presbyterian Church, in the United s of America, and to enable the Presbyterian Board of Home ons, formerly the Presbyterian Committee of Home Missions, to fer its property to said new corporation, and to vest in such new ration the corporate rights, franchises and privileges of the for- body ; and also to enable said new corporation to accept a trans- the property of the Trustees of the Board of Domestic Missions e General Assembly of the Presbyterian Church, in the United s of America, and to become the legal successor of the said last- ioned corporation,'" which was read the first time, and by imous consent was also read the second time, and referred to the ittee on charitable and religious societies.

message from the Senate was received and read, informing of irrence in the passage of the following bills:

n act to amend sections 9 and 28 of chapter 140 of the Laws of entitled 'An act to authorize the formation of railroad corpo- is and to regulate the same."

n act to amend the charter of the German Fire Insurance Com- so as to change the time of the election of directors."

n act authorizing the trustees of the village of Saratoga Springs chase hose for the use of the fire department of said village."

lered, That the Clerk deliver said bills to the Governor.

Bradley offered for the consideration of the House the follow- ivileged resolution:

olved, That when this House does adjourn to-day, it will ad- to meet on Monday evening at 8 o'clock.

Tallmadge moved to amend by striking out "8" and inserting "

Speaker put the question whether the House would agree to otion offered by Mr. Tallmadge, and it was determined in the ve.

Mr. Speaker then put the question whether the House would agree to said resolution offered by Mr. Bradley, and it was determined in the affirmative.

By unanimous consent,

Mr. Brennan offered for the consideration of the House a resolution in the words following :

*Resolved*, That the committee of the whole be discharged from the further consideration of bill No. 646, general orders No. 748, entitled "An act to amend section 1 of chapter 453 of the Laws of 1870, entitled 'An act to amend an act entitled 'An act to incorporate the village of Chateaugay, in the county of Franklin,' passed May 3, 1869,'" and that said bill be ordered engrossed for a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Mooers offered for the consideration of the House a resolution in the words following :

*Resolved*, That the committee of the whole be discharged from the further consideration of bill No. 637, general orders No. 737, entitled "An act in relation to the auditing of expenses of the county poor and the purchase of supplies in the county of Clinton," and that said bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. E. D. Benedict introduced a bill entitled "An act entitled 'An act to prevent fraud in the practice of law,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. J. L. Wells offered for the consideration of the House a resolution in the words following :

*Resolved*, That the committee of the whole be discharged from the further consideration of Senate bill, not printed, general orders No. 818, entitled "An act to amend chapter 29 of the Laws of 1864, entitled 'An act to limit the term of office of notaries public,'" and that the same do now have its third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Cowles introduced a bill entitled "An act in relation to assessments for taxes in Long Island City," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Shanley offered for the consideration of the House a resolution in the words following :

*Resolved*, That when this House adjourns on Monday evening next, it will be to meet on Wednesday, 21st inst., at 11 A.M.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative.

By unanimous consent,

Mr. Mitchell offered for the consideration of the House a resolution in the words following :

*Resolved*, That Senate bill, not printed, Int. 218, entitled "An act

and an act entitled 'An act to incorporate the 'Board of Home Missions of the Presbyterian Church in the United States of America,' to enable the Presbyterian Board of Home Missions, formerly the Presbyterian Committee of Home Missions, to transfer its property to a new corporation, and to vest in such new corporation the copyrights, franchises and privileges of the former body, and also to said new corporation to accept a transfer of the property of the trustees of the Board of Domestic Missions of the General Assembly of the Presbyterian Church in the United States of America,' become the legal successor of the said last-mentioned corporation—passed April 19, 1872, be substituted for Assembly bill No. 667 (782), with same title.

Speaker put the question whether the House would agree to the resolution, and it was determined in the affirmative.

Tozier, from the committee on general laws, to which was referred the bill introduced by Mr. Lindsay (introductory No. 911),

"An act amending chapter 837, Laws of 1868, and chapter 1015, Laws of 1869, and chapter 554, Laws of 1873, in reference to the opening and continuing Bushwick avenue, in the town of Bushwick, Kings county," reported in favor of the passage of the bill. The report was agreed to and said bill committed to the committee of the whole.

Tozier, from the committee on general laws, to which was referred the bill introduced by Mr. O'Connor (introductory No. 1019),

"An act to incorporate the Empire Yacht Club of the city of New York," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Tozier, from the committee on general laws, to which was referred Senate bill (introductory No. 87) entitled "An act to secure the purity of elections," reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Tozier said bill was ordered printed as amended. Mr. Winup moved to take from the table the adverse report of the committee on the judiciary, on the bill entitled "An act for the protection of laborers and persons furnishing materials and supplies in the logging and timber from the woodlands and forests of this State."

Speaker put the question whether the House would take said bill from the table, and it was determined in the affirmative.

Mr. Winup moved to disagree with the adverse report of said committee, and that said bill be referred to the committee of the whole.

Speaker put the question whether the House would agree to the motion, and it was determined in the affirmative.

On unanimous consent,

Mr. Howland offered for the consideration of the House a resolution to the following effect:

Resolved, That it is charged by many members of this House that the Superintendent of the wrapping department refuses to wrap up documents without being paid for it, claiming that his duties are only to receive and send the same; therefore,

Resolved, That a special committee of three be appointed to investigate the charges and ascertain what his duties are, and if he has not



faithfully and honestly discharged his duties, to report what is proper to be done in the premises.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Varnum (introductory No. 528), entitled 'An act for providing a site for an armory in the city of New York for the use of the Ninth regiment of the National Guard of the State of New York,' reported adversely thereto, which report was agreed to.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Grosse (introductory No. 906), entitled "An act relating to charitable, benevolent and corrective associations in the city and county of New York," reported adversely thereto, which report was agreed to.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. O'Brien (introductory No. 1023), entitled "An act to authorize the city of Buffalo to issue its bonds, payable not more than forty years after the date of issue, and bearing interest at a rate not exceeding 5 per centum per annum, to the extent of \$1,000,000, for the purpose of providing money to pay for constructing a sewer from the end of the mill-race sewer, at or near Hamburg street, to a point on the Niagara river below the water-works tunnel, as the common council of said city of Buffalo may direct," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 190), entitled "An act to amend chapter 918 of the Laws of 1871, entitled 'An act to amend the charter of the city of Cohoes,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 158), entitled "An act relating to certain buildings erected for county purposes in the city and county of New York," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 155), entitled "An act to give to the common council of the city of Buffalo power to allow the owners of the Arcade building in said city compensation for the injury to said building occasioned by the acts of the public authorities of said city in January, 1865," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 116), entitled "An act to simplify the proof of the Sanitary Code in the city of New York," reported adversely thereto, which report was agreed to.

Mr. Varnum, from the committee on affairs of cities, reported in favor of the passage of the following resolutions in relation to armories in the city of New York:

whereas, Out of 20,351 troops composing the National Guard of the State of New York, nine regiments of infantry, one regiment and separate troop of cavalry, and three batteries of artillery, in all 7,000 men, are located in the city of New York; and,

whereas, The State of New York has, from time to time, made provision for the erection of State armories for the use of the National Guard in different portions of the State, but has made no such provision at any time for or toward the erection of any armory for the National Guard in the city of New York; and,

whereas, It appears that the armories now used in said city are, in some cases, poorly adapted for the purposes for which they are used, and in some cases unsafe; and,

whereas, Applications are continually being made to the Legislature for appropriations for the erection of armories for different regiments of the city, which applications vary greatly in the character and amount of the relief which is asked for; and,

whereas, The National Guard in the city of New York is in some respects in a better state of discipline and efficiency than in any other part of the State, and is a great protection to the people of the whole State against riots or other disturbances, as well as a force instantly available for the protection of the nation in time of war; and,

whereas, It is but reasonable, in view of the appropriations made by the State for armories elsewhere, that the claims of the National Guard in the city of New York should, at least, receive careful consideration; but it seems inadvisable to take any action upon special bills upon the subject until some general principle of action has been laid down; now, therefore, be it

Resolved, That it be referred to the Adjutant-General, the Inspector-General and the Major-General commanding the First Division, to report into the subject set forth in the preamble, and to report to the Legislature of 1881 what, in their judgment, would be a fair and proper disposition of the subject.

Speaker put the question whether the House would agree to the resolution, and it was determined in the affirmative.

Senate sent for concurrence the following resolution:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor requesting the return to the Senate, for amendment, of the bill entitled "An act in relation to highway labor and the erection of sidewalks in the village of Whitney's Point."

7 unanimous consent,

Speaker put the question whether the House would agree to the resolution, and it was determined in the affirmative.

Resolved, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Rhodes moved to recommit Senate bill No. 280, entitled "An act to amend chapter 918 of the Laws of 1871, entitled 'An act to amend the charter of the city of Cohoes,'" to the committee on affairs of the city, retaining its place on general orders.

Speaker put the question whether the House would agree to the resolution, and it was determined in the affirmative.

Skinner, from the committee on railroads, to which was referred Senate bill (introductory No. 393), entitled "An act in relation to the operation of railroads," reported in favor of the passage of the same,

which report was agreed to and said bill committed to the committee of the whole.

Mr. Skinner, from the committee on railroads, to which was referred the bill introduced by Mr. C. S. Baker (introductory No. 949), entitled "An act in relation to the Rochester and Lake Ontario Railway Company to confirm its present route, and to authorize said company to hold and improve the real estate now held and owned by said company," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Skinner, from the committee on railroads, to which was referred the bill introduced by Mr. Mead (introductory No. 1035), entitled "An act to amend chapter 314 of the Laws of 1871, entitled 'An act to amend the act entitled 'An act incorporating the 'New York Northern Railroad Company,' passed April 28, 1866,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Duguid, from the committee on commerce and navigation, to which was referred the Senate bill (introductory No. 250), entitled "An act to amend chapter 604 of the Laws of 1875, entitled 'An act to prevent the deposit of carrion, offal or dead animals in the North and East rivers, or in the bay of New York, or in Raritan bay within the jurisdiction of the State of New York,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Duguid, from the committee on commerce and navigation, to which was referred the Senate bill (introductory No. 274), entitled "An act for the better preservation of trees and shrubbery on the islands in Lake George," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. C. S. Baker, from the committee on insurance, to which was referred the bill introduced by Mr. Tallmadge (introductory No. 781), entitled "An act to amend section 2 of chapter 209 of the Laws of 1879, entitled 'An act regulating the amount of capital stock for fire and marine insurance companies,' as amended by chapter 490 of the Laws of 1879," reported in favor of the passage of the accompanying substitute, and the title amended so as to read as follows: "An act to regulate the admission to this State of fire insurance companies from other countries than the United States, and to prohibit the making and publishing of false statements and reports," which report was agreed to and said bill committed to the committee of the whole.

Mr. C. S. Baker moved to recommit said bill to the committee on insurance, with instructions to report the same back to the House on Wednesday morning, retaining its place on general orders.

Mr. Husted moved to recommit said bill to the committee on insurance, and printed, said committee to report the same back on Wednesday morning next.

Mr. Speaker put the question whether the House would agree to the motion of Mr. Husted, and it was determined in the affirmative.

Mr. Husted moved to make said bill a special order for Thursday morning next, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

vans, from the committee on internal affairs, to which was the bill introduced by Mr. Douglass (introductory No. 306), "An act to enable any town to abolish the office of railroad commissioners, and to authorize the supervisor of said town to discharge duties now pertaining to said office," reported in favor of age of a substitute, which report was agreed to and said bill ed to the committee of the whole.

vans, from the committee on internal affairs, to which was the bill introduced by Mr. Sharpe (introductory No. 745), "An act fixing the salary of the town clerk and commis- of highways of the town of Saugerties, Ulster county," in favor of the passage of a substitute, which report was and said bill committed to the committee of the whole.

S. Baker, from the committee on insurance, to which was the Senate bill (introductory No. 222), entitled "An act to he holders of casualty insurance policies, and to prevent the ctitious or deceptive names by individuals or corporations ch insurance," reported in favor of the passage of the same C. S. Baker, Davis and Cushing dissenting), which report was and said bill committed to the committee of the whole.

nders, from the committee on affairs of villages, to which was the bill introduced by Mr. Comstock (introductory No. 1031), "An act to amend an act entitled 'An act to incorporate the f Hart's Falls, in the county of Rensselaer," reported in favor ssage of the same, which report was agreed to and said bill ed to the committee of the whole.

nders, from the committee on affairs of villages, to which was the bill introduced by Mr. Sharpe (introductory No. 740), 'An act to further amend chapter 262 of the Laws of 1855, 'An act revising and amending an act entitled 'An act to te the village of Saugerties,'" reported in favor of the f the same, which report was agreed to and said bill com- the committee of the whole.

nders, from the committee on affairs of villages, to which red the bill introduced by Mr. Steele (introductory No. titled "An act to confirm the election of village trustees in uses, and to provide for and determine by lot their respective office," reported in favor of the passage of the same, which is agreed to and said bill committed to the committee of

nders, from the committee on affairs of villages, to which mitted the bill introduced by Mr. Travis (introductory No. tled "An act to consolidate, amend and revise the charter lage of Sing Sing, in the county of Westchester," reported f the passage of the same, which report was agreed to and committed to the committee of the whole.

lock, from the committee on public health, to which was he bill introduced by Mr. Hagan (introductory No. 1006), "An act for the better security of the public health and the n of nuisances in the county of New York," reported in the passage of the same, which report was agreed to and onmitted to the committee of the whole.

rman, from the committee on public education, to which ed the bill introduced by Mr. Gillette (introductory No.

984), entitled "An act in relation to the public schools of the city of Hudson," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Bradley, from the committee on State charitable institutions, to which was referred the bill introduced by Mr. Brennan (introductory No. 1045), entitled "An act making it unlawful for the officers of any orphan asylum or other charitable institution to employ any pauper in the care of children," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Ingersoll, from the committee on Indian affairs, to which was referred the bill introduced by Mr. Congdon (introductory No. 780), entitled "An act to authorize the incorporation of the Red House Driving Park Agricultural Society among the Indians of the Alleghany and Cattaraugus reservations," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Hurd, from the committee on canals, to which was recommended the bill introduced by Mr. Curtis (introductory No. 675), entitled "An act to provide for the disposition of a portion of the Chenango canal and what is called and known as the Chenango canal extension, and the lands, rights and other property connected therewith," reported in favor of the passage of the same with amendments, and with the title amended, which report was agreed to and said bill committed to the committee of the whole.

Mr. Hurd, from the committee on canals, to which was referred the bill introduced by Mr. Hurd (introductory No. 1047), entitled "An act defining the powers and duties of the Superintendent of Public Works," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Hurd, from the committee on canals, to which was referred the Senate bill (introductory No. 149), entitled "An act to amend chapter 391 of the Laws of 1878, entitled 'An act authorizing the city of Binghamton to use a portion of the Chenango canal for a public street,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum called from the table a resolution previously offered by him in words following:

*Whereas*, It appears from the report of the comptroller of the city of New York, that the city of New York pays annually the enormous sum of \$996,740 for special contributions to private charitable institutions, which expenditure is made under and by virtue of the acts passed by the Legislature from time to time, and it also appears that a further sum of \$364,000 is distributed among such institutions from the excise funds of said city; and

*Whereas*, An additional sum of more than \$1,300,000 is paid by said city for the support of its public charitable institutions, making a total expenditure for charities, in New York city, of about \$2,600,000 per annum; and

*Whereas*, The appropriations, first above referred to, vary greatly in amount, and in rate *per capita* to the several institutions, and are made upon no systematic or correct principles or plan; and

*thereas*, It is claimed that some of the institutions sharing in this distribution of public funds are unworthy of such assistance, and that more deserving charitable associations are excluded from participation in such distribution; and

*thereas*, The large expenditure of public moneys for these purposes is a heavy tax upon the city of New York, and it seems proper some limit should be put on such amount of such expenditure, some rule should be laid down to govern future appropriations, that the distribution should be regulated upon some fixed principle and in some more intelligent manner than at present; and

*hereas*, It is impossible for the Assembly, at this late stage of the session, to make a careful and intelligent investigation of the subject; therefore, be it

*solved*, That the State Board of Charities be, and they are hereby requested and instructed to examine into the whole question of the appropriations aforesaid, their proprieties, the proper amount of distribution and limitation, and that they report the result of their investigation, with their recommendations upon the subject, to the Assembly in 1881.

Speaker put the question whether the House would agree to the resolution, and it was determined in the affirmative.

Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Bradley (introductory No. 996), read "An act to amend chapter 570 of the Laws of 1872, entitled 'An act to ascertain by proper proofs the citizens who shall be entitled to the right of suffrage in the State of New York, except in the city and county of New York and the city of Brooklyn,' and to amend chapter 572 of the Laws of 1871, entitled 'An act to amend the act entitled 'An act in relation to elections in the city and county of New York,' reported in favor of the passage of the same, which was agreed to and said bill committed to the committee of the whole."

Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Strait (introductory No. 702), read "An act entitled 'An act to enable either husband or wife to obtain a divorce in case of abandonment or desertion,' reported in favor thereof, which report was agreed to."

Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Treanor (introductory No. 1038), read "An act for the protection of sureties on the bonds of contractors with municipal corporations," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Evans (introductory No. 998), read "An act to legalize the official acts of Casper B. Vescelius, a justice of the peace in the county of Seneca," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Rhodes (introductory No. 914), read "An act to amend section 1 of title 3 of chapter 5 of part 3 of the Revised Statutes, relating to the partition of lands," reported in favor thereof, which report was agreed to.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Travis (introductory No. 1055), entitled "An act to amend chapter 332 of the Laws of 1875, entitled 'An act to amend chapter 610 of the Laws of 1874, entitled 'An act to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes in the several towns in the county of Westchester,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Mitchell (introductory No. 700), entitled "An act to authorize summary proceedings by mandamus against common carriers," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Travis (introductory No. 993), entitled "An act to regulate and define the duties of pawnbrokers, and fixing a uniform rate of interest for all money loaned by them on goods or things," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 174), entitled "An act to provide for the creation of a board of charities and corrections of the county of Kings, and for the appointment of the commissioners thereof and their subordinates," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 82), entitled "An act to allow the continued use of a business name or designation in certain cases," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Shanley offered for the consideration of the House the following privileged resolution:

*Resolved*, That when this House adjourns on Monday evening next, it be to meet on Wednesday morning April 21, at 10 o'clock.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative.

{ AYES 42 }  
{ NOES 52 }

Those who voted in the affirmative, were

Benedict, T. E.	Fitzgerald	O'Brien	Thilemann
Bennett	Gibbs	Parker	Treanor
Catlin	Gray	Peck	Tully
Chase	Hagan	Phillips	Van Valkenburgh
Glancy	McAvoy	Potter	Warner
Clark	McCarthy	Rhodes	Wells, D. A.
Cohen	McDonald	Russell	Wells, J. L.
Costello	McTernan	Shanley	Wiley
Cullinan	Mead	Sipp	Wren
Cushing	Morgan	Terpeny	Youngs
Dougherty	Newman		

those who voted in the negative, were

	Comstock	Hayes	Sanders
ns	Crapser	Hurd	Seeley
B. F.	Davis	Husted	Sherman
C. S.	Deane	Ingersoll	Sisson
	Duell	Kennedy	Skinner
	Duguid	Lefever	Steele
y	Ellis	Lindsay	Tallmadge
n	Evans	Low	Terry
y	Ferris	Miller	Travis
:	Fish	Mitchell	Tuthill, H. H.
ter, E. A.	Gorsline	Moore	Tuttle, R. M.
	Griggs	Nowlan	Varnum
	Gwinup	Potts	Mr. Speaker

Steele, from the committee on engrossed bills, reported as cor-engrossed the bills entitled as follows:

1 act to further amend section 2 of chapter 139 of the Laws of 1877, entitled 'An act to amend by chapter 402 of the Laws of 1877, entitled 'An annex parts of the towns of Bethlehem and Watervliet, in the city of Albany, to the city of Albany, and to exempt such parts from certain taxes and to annex a part of the city of Albany town of Watervliet.'"

act for grading and planking Delaware avenue, in the city of Albany, from the north line of Warren street to the division line between the city of Albany and the town of Bethlehem, and to provide for the payment of the same."

act authorizing the village of Wellsville, New York, to appropriate portions of its highway moneys to the laying of stone side-

Skinner moved to recommit Assembly bill entitled "An act to amend chapter 817 of the Laws of 1873, entitled 'An act to provide for the support of the poor of the county of Jefferson,'" to the committee on internal affairs, with instructions to amend said bill in the following and report forthwith, retaining its place on order of reading.

act to exempt the town of Henderson from the provisions of chapter 817 of the Laws of 1873, entitled 'An act to provide for the support of the poor in the county of Jefferson, and to confirm the election of the legal voters of said town in the election of an overseer of the poor.'"

on 1. The town of Henderson is hereby exempt from the provisions of chapter 817 of the Laws of 1873, entitled "An act to provide for the support of the poor of the county of Jefferson," and the election of the legal voters of said town on February 17, 1880, in electing Crittenden as overseer of the poor is hereby confirmed.

on 2. This act shall take effect immediately.

Evans, from the committee on internal affairs, reported said bill to the House, amended as instructed.

On unanimous consent,

Mr. Curtis offered for the consideration of the House a resolution in the following words:

Resolved, That Assembly bill No. 402, entitled "An act to provide for the disposition of a portion of the Chenango canal, and what is left of the Chenango canal extension, and the lands, rights and



other property connected therewith," be made a special order for Tuesday afternoon April 20, at 4 o'clock.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Speaker announced the order of business third reading of bills.

The bill entitled "An act to further amend chapter 175 of the Laws of 1878, entitled 'An act to amend section 2, chapter 33 of the Laws of 1878, entitled 'An act to amend chapter 516 of the Laws of 1867, entitled 'An act for the further protection of female employees in the city of New York,'" being announced for a third reading,

Mr. Mitchell moved to recommit said bill to the committee on the judiciary, with instructions to strike out the enacting clause.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Mitchell moved to recommit said bill to the committee on the judiciary for amendment, said bill retaining its place on order of third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Brodsky moved to recommit said bill to the committee on the judiciary, with instructions to amend said bill in words following, and report forthwith:

Strike out the words "one hundred" in line 5, section 1, and insert in lieu thereof "fifty," strike out the word "thirty" in line 12 of section 2, and insert in lieu thereof "fifteen."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Travis moved to recommit said bill to the committee on the judiciary, with instructions to amend said bill in words following, and report forthwith:

Line 3, after the word "Brooklyn" insert the word "Troy."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Mitchell moved to further instruct said committee by amending said bill in words following, and report forthwith:

Insert after the word "Troy," "Rochester, Buffalo, Syracuse, Utica, Watertown, Binghamton, Albany, Elmira, Auburn, Ogdensburgh, and Stockholm Depot, St. Lawrence county."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Terry, from the committee on the judiciary, reported back said bill to the House, amended as instructed.

Mr. Crapser moved to reconsider the vote by which said bill was amended by adding Rochester, Buffalo, Syracuse, Utica, Watertown, Binghamton, Albany, Elmira, Auburn, Ogdensburgh and Stockholm Depot, St. Lawrence county.

Mr. Clancy moved the previous question.

Mr. Speaker put the question, "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said amendment was adopted, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree

adoption of said resolution, and it was determined in the neg-

l bill, as amended, was then read a third time.

Speaker put the question whether the House would agree to the passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor of it, and three-fifths of said members being present.

{ AYES 73 }  
{ NOES 16 }

Those who voted in the affirmative, were

	Deane	Low	Sherman
rs	Dougherty	McAvoy	Sisson
	Duguid	McCarthy	Skinner
	Ellis	McDonald	Steele
st, T. E.	Ferris	McTernan	Strait
t	Fitzgerald	Mead	Terpeny
7	Gibbs	Miller	Terry
	Goraline	Morgan	Thilemann
er, E. A.	Gray	Newman	Tormey
	Gwinup	Nowlan	Tozier
	Hagan	O'Brien	Treanor
	Havens	O'Connor	Tully
	Hayes	Parker	Van Valkenburgh
ck	Howland	Rhodes	Walsh
	Ingersoll	Russell	Warner
	Kennedy	Sanders	Wells, J. L.
	Lefever	Shanley	Wiley
	Lindsay	Sheridan	Youngs

Those who voted in the negative, were

3. F.	Case	Evans	Seeley
4. E. D.	Crapser	Mitchell	Slingerland
	Curtis	Phillips	Travis
	Duell	Potts	Tuttle, R. M.

red, That the Clerk deliver said bill to the Senate, and request concurrence therein.

the bill entitled "An act to amend chapter 29 of the Laws of the State, entitled 'An act to limit the term of office of notaries public,'" and a third time.

Speaker put the question whether the House would agree to the passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor of it, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 3 }

Those who voted in the affirmative, were

	Cullinan	Kennedy	Sherman
	Curtis	Lefever	Sisson
F.	Cushing	Lindsay	Skinner
	Davis	Low	Slingerland
	Deane	McAvoy	Steele
E. D.	Dougherty	McCarthy	Strait
T. E.	Duell	McDonald	Terpeny
	Duguid	McTernan	Terry

Bradley	Ellis	Mead	Thilemann
Brennan	Evans	Miller	Treanor
Bridges	Fish	Morgan	Tully
Brodsky	Gibbs	Newman	Tuttle, R. M.
Bullock	Gorsline	Nowlan	Van Valkenburgh
Carpenter, E. A.	Gray	O'Brien	Walsh
Case	Gwinup	Parker	Warner
Chase	Hagan	Phillips	Wells, D. A.
Chickering	Hayes	Potter	Wells, J. L.
Clancy	Hurd	Rhodes	Wiley
Clowes	Husted	Sanders	Wren
Costello	Ingersoll	Shanley	Youngs

Those who voted in the negative, were

Clark	Cohen	Mitchell
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*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Titus, from the sub-committee of the whole, presented a report from said committee; which was laid on the table and ordered printed.

(See Doc. No. .)

The bill entitled "An act to incorporate the Grand Lodge Knights of Pythias of the State of New York," being announced for a third reading,

On motion of Mr. Wiley, and by unanimous consent, said bill was amended in words following:

Section 1, line 1, strike out the words "Horace Stowell."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 76 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Comstock	Ingersoll	Russell
Andrews	Costello	Kennedy	Sanders
Baker, B. F.	Curtis	Lefever	Shanley
Baker, C. S.	Cushing	Lindsay	Sherman
Beach	Davis	Low	Sisson
Benedict, T. E.	Deane	McAvoy	Slingerland
Bennett	Dougherty	McCarthy	Strait
Bradley	Duell	McDonald	Terpeny
Brennan	Duguid	Miller	Thilemann
Bridges	Evans	Mitchell	Travis
Brodsky	Fish	Morgan	Treanor
Bullock	Gibbs	Newman	Van Valkenburgh
Carpenter, E. A.	Gorsline	Nowlan	Walsh
Case	Gray	O'Brien	Warner
Chamberlain	Griggs	Parker	Wells, D. A.
Clancy	Gwinup	Phillips	Wells, J. L.
Clark	Hayes	Pitcher	Wiley
Clowes	Hurd	Potter	Wren
Cohen	Husted	Rhodes	Youngs

Those who voted in the negative, were

Potts

rdged, That the Clerk deliver said bill to the Senate, and request concurrence therein.

he bill entitled "An act to amend section 2 of chapter 405 of the s of 1879, entitled 'An act to amend sections 2 and 10 of chapter of the Laws of 1878, entitled 'An act in relation to the election officers in certain school districts,'" was read a third time.

r. Speaker put the question whether the House would agree to the passage of said bill, and it was determined in the affirmative, a rity of all the members elected to the Assembly voting in favor of, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 1 }

Those who voted in the affirmative, were

1	Clowes	Kennedy	Rhodes
ws	Comstock	Lefever	Russell
, B. F.	Curtis	Lindsay	Sherman
, C. S.	Cushing	Low	Sisson
	Davis	McAvoy	Skinner
	Deane	McCarthy	Slingerland
ict, E. D.	Dougherty	McDonald	Terpeny
ict, T. E.	Duell	Mead	Terry
st	Duguid	Miller	Thilemann
y	Ellis	Mitchell	Travis
	Evans	Morgan	Treanor
y	Fish	Newman	Tuttle, R. M.
	Gibbs	Nowlan	Walsh
ter, E. A.	Gray	O'Brien	Warner
	Griggs	Parker	Wells, D. A.
	Gwinup	Peck	Wells, J. L.
erlain	Hagan	Phillips	Wiley
ing	Hayes	Pitcher	Wren
	Husted	Potter	Youngs
	Ingersoll	Potts	

those who voted in the negative, were  
aker

red, That the Clerk deliver said bill to the Senate, and request concurrence therein.

otion of Mr. C. S. Baker, and at 12 o'clock and 20 minutes use adjourned.

## MONDAY EVENING, APRIL 19, 1880.

e House met pursuant to adjournment.

r by Rev. H. D. Kimball.

ournal of Friday was read and approved.

ages of the floor were granted to Hon. S. R. Barnes.

nite leave of absence was granted to Mr. Clowes.

unanimous consent,

L. Wells offered for the consideration of the House a privi-  
olution in the words following:

ed (if the Senate concur), That a respectful message be sent  
vernor requesting the return of Assembly bill, not printed,

introductory No. 974, entitled "An act to amend the charter of the Germania Fire Insurance Company, so as to change the time of election of directors."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Beates offered for the consideration of the House a privileged resolution in the words following:

*Resolved* (if the Senate concur), That a respectful message be sent His Excellency the Governor, requesting the return of Assembly bill No. 135, entitled "An act to amend section 3 of chapter 126 of the Laws of 1876, entitled 'An act supplementary to chapter 60 of the Laws of 1813, entitled 'An act to provide for the incorporation of religious societies, and the acts supplementary thereto,'" for the purpose of amendment.

By unanimous consent,

Mr. Speaker put the question whether the House would concur in said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Husted presented the Annual Report of the State Museum of Natural History; which was laid on the table and ordered printed.

(See Doc. No. 120.)

Mr. Husted offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That 1,500 copies of the Thirty-Second Annual Report on the State Museum of Natural History, by the Regents of the University, with the accompanying papers, be printed and bound for the use of the said Regents, and 300 copies, in like manner, for the use of the Director, all to be paid for according to the prices stipulated in the contract for extra copies.

*Ordered*, That said resolution be referred to the committee on public printing.

Mr. Speaker appointed as a special committee, relative to the superintendent of the wrapping department, Messrs. Howland, of Onondaga, Roberts, of Erie, Rhodes, of Troy.

The Senate sent for concurrence the bill entitled "An act in relation to the indebtedness of the town of Attica and Java, in the county of Wyoming," which was read the first time, and by unanimous consent was also read the second time.

Mr. Tozier moved to substitute said bill for Assembly bill No. 580, now in sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Tozier, and by unanimous consent, the committee of the whole was discharged from the further consideration of said bill, and the same was ordered to a third reading.

Mr. O'Brien introduced a bill entitled "An act to amend chapter 519 of the Laws of 1870, entitled 'An act to revise the charter of the city of Buffalo,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Russell introduced a bill entitled "An act to release to the Philadelphia Eye and Ear Infirmary any claim to the estate of Ann et Shinn, deceased," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary. Accompanied by petition.

E. D. Benedict introduced a bill entitled "An act to authorize companies to contract to furnish gas to consumers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures. Clancy introduced a bill entitled "An act to legalize the official D. T. Cornell as notary public," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Clancy, and by unanimous consent, said bill was read to a third reading.

Duell introduced a bill entitled "An act for the relief of Babemmler," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary. Accompanied by petition.

Philemann (by request) introduced a bill entitled "An act to amend the sale of newspapers, books and other printed matter, and tobacco, confectionery and other commodities upon railway," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

J. L. Wells introduced a bill entitled "An act to amend chapter 262 of the Laws of 1879, entitled 'An act to extend the time for the organization of the Continental Insurance Company of New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Duguid introduced a bill entitled "An act to institute a State of correction and pardons, and county boards of correction," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State prisons.

Youngs introduced a bill entitled "An act to extend the term of the improvement commissioners in Long Island City," for the purpose of completing certain improvements hitherto authorized, which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Youngs, and by unanimous consent, said bill was read to a third reading.

Lefever introduced a bill entitled "An act to amend chapter 262 of the Laws of 1850, entitled 'An act to amend the Revised Statutes relating to grants of land under water,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Fish (by request) introduced a bill entitled "An act to amend chapter 262 of the Laws of 1879, entitled 'An act to amend chapter 262 of the Laws of 1848, entitled 'An act for the incorporation of benevolent, charitable, scientific and missionary societies,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious institutions.

Husted introduced a bill entitled "An act in relation to railroads," which was read the first time, and by unanimous

consent was also read the second time, and referred to the committee on railroads.

A message from the Senate was received and read, informing of concurrence in the bills entitled as follows :

"An act making appropriations for the support of government."

"An act to ascertain the citizens of the several towns in any county of this State having a population of over three hundred thousand, according to the last census, who shall be entitled to the right of suffrage therein."

"An act for the better security of mechanics, laborers and others who perform labor or furnish materials for buildings and other improvements on land in the city of Buffalo."

*Ordered*, That the Clerk deliver said bills to the Governor.

Mr. Liddle offered for the consideration of the House a resolution in the words following :

*Resolved*, That Senate bill No. 150, general orders No. 678, entitled "An act to establish a board of fire commissioners for the village of West Troy, in the county of Albany," be recommitted to the committee on villages, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Tozier offered for the consideration of the House a resolution in words following :

*Resolved*, That bill No. 513, general orders No. 588, entitled "An act to promote agriculture, and to facilitate the promotion of agricultural societies," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

Mr. Youngs called from the table a resolution previously offered by him in words following :

*Whereas*, The property of the people of the State is inseparably connected with the prosperity of the cities of the State ; and

*Whereas*, Grave doubts have arisen regarding the constitutionality of the board of estimate and apportionment in the city of New York ; therefore,

*Resolved* (if the Senate concur), That the Attorney-General be, and he is, hereby directed, forthwith, to institute such proceedings as may be necessary to obtain a final adjudication on the constitutionality of said board from the court of last resort.

On motion of Mr. Duell, said resolution was referred to the committee on the judiciary.

Mr. Bridges offered for the consideration of the House a resolution in the words following :

*Whereas*, The Constitution of the United States, in article 1, section 5, provides that "each House shall keep a journal of its proceedings, and from time to time publish the same," and by section 9 "a regular statement and account of the receipts and expenditures of all public money shall be published from time to time ; and

*Whereas*, Each House of Congress prints but five thousand copies of their daily proceedings, and a regular statement and account of the receipts and expenditures of all public moneys is not published from time to time, as contemplated by the Constitution, and an important provision of the Constitution is evaded and disregarded ; and

*reas*, To publish the proceedings of Congress, as the Constitu-  
quires, demands that a copy of the proceeding shall be placed  
ry family; and

*reas*, By the report of Gen. Hawley "the last session of the  
fifth Congress, and the extra session of the forty-sixth, the print-  
ed binding, ordered by Congress, amounted to 2,699,909 volumes,  
reater part of which was of no use," and as this number would  
h a volume to one-third of the whole number of families of the  
d States, it is evident that a copy of the proceedings of Congress,  
spaper form, could be sent to every family in the United States  
s than one-fourth of the cost now incurred in printing and bind-  
is immense number of books; therefore,

*olved* (if the Senate concur), That the representatives in Con-  
from this State, be requested to urge the passage of a law by  
the proceedings of Congress shall be published in newspaper  
—a portion each week, and the whole in the course of the year—  
copy sent free to every family in the United States, as the fifty  
and petitioners have asked Congress to do.

aid resolution giving rise to debate,

*olved*, That the same be laid upon the table.

Phillips offered for the consideration of the House a resolution  
words following:

*olved*, That Assembly bill No. 496, general orders 563, entitled  
act to incorporate Alert Hose Company No. 3, of Medina," be  
ed to the sub-committee of the whole.

Speaker put the question whether the House would agree to  
resolution, and it was determined in the affirmative.

Low offered for the consideration of the House a resolution  
ords following:

*olved*, That Assembly bill No. 615, general orders No. 706, en-  
"An act entitled 'An act to authorize the selection, location and  
patriation of certain lands, in the village of Niagara Falls, for a  
reservation, and to preserve the scenery of the Falls of Niagara,'"  
ide a special order for Thursday morning, immediately after  
ading of the journal.

Speaker put the question whether the House would agree to  
resolution, and it was determined in the affirmative, two-thirds of  
members present voting in favor thereof.

Dean offered for the consideration of the House a resolution in  
ords following:

*olved*, That Assembly bill No. 524; general orders No. 597, en-  
"An act to abolish the office of marshal of the city of New  
and to provide for the appointment of officers in lieu of mar-  
in said city, and making certain regulations concerning the  
'be referred to the sub-committee of the whole.

Mitchell moved to amend by striking out the words "sub-com-  
of the whole" and insert in lieu thereof "judiciary committee."

Speaker put the question whether the House would agree to the  
lment offered by Mr. Mitchell, and it was determined in the  
ative.

Speaker then put the question whether the House would agree  
resolution, as amended, and it was determined in the affirmative.

Dougherty offered for the consideration of the House a resolu-  
the words following:

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*Resolved*, That Assembly bill 684, general orders 807, entitled "An act to provide for payment of the expenses of certain proceedings against public officers in the city of New York," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. C. S. Baker offered for the consideration of the House a resolution in the words following :

*Resolved*, That the committee on the judiciary be and they are hereby directed to report to this House, within ten days, a bill embodying the following provisions, namely :

1. The abolishment of the office of Canal Appraiser.
2. The repeal of chapter 444, Laws of 1876, and the abolishment of the Board of Audit.
3. Providing for the creation of a "Court of Claims," to be composed of three persons learned in the law, whose terms of office shall be five years, with salaries to be fixed at \$5,000 per annum, and who shall be appointed by the Governor by and with the advice and consent of the Senate ; said court of claims to be invested with power to hear, try and determine finally all claims against the State, and, generally, to have and exercise all the powers now vested in the Board of Audit and the Canal Appraisers.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Skinner offered for the consideration of the House a resolution in the words following :

*Whereas*, It is asserted that the income received annually by the health officer of the port of New York is not less than sixty thousand or seventy-five thousand dollars ; and,

*Whereas*, This excessive income and emolument of said officer are derived from fees paid by, and charges upon shipping entering said port ; and,

*Whereas*, The Governor, in his annual message to the Legislature, declared that "all measures calculated to simplify the methods and promote the stability of local as well as State administration, or to secure efficient and economical discharge of official duty, are earnestly commended to your favorable consideration and support" ; therefore,

*Resolved*, That the committee on commerce and navigation be and is hereby directed to ascertain and report to this House, within ten days, the amount of fees and emoluments of said health officer for each of the five years last past, and, also, to report a bill regulating said fees and charges, to the end that the shipping which enters said port may be relieved from all unnecessary burdens and taxation by said officer.

Said resolution giving rise to debate,

*Ordered*, That the same be laid upon the table.

Mr. Travis offered for the consideration of the House a resolution in the words following :

*Resolved*, That Assembly bill No. 407, general orders No. 445, entitled "An act to amend section 1323 of the Code of Civil Procedure," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Titus, from the sub-committee of the whole, called from the table a report in words following :

*Report of the sub-committee of the whole.*

r. Titus, from the sub-committee of the whole, to which was red Senate bill G. O. 683, printed No. 174, entitled "An act to pass and punish disorderly conduct on public conveyances," reported in favor of the passage of the same, without amendment.

r. Titus, from the sub-committee of the whole, to which was red Senate bill G. O. 506, printed No. 132, entitled "An act to organize the reception and treatment in Bellevue Hospital of persons who do not reside in the city of New York," reported in favor of the passage of the same, without amendment.

r. Titus, from the sub-committee of the whole, to which was red Senate bill G. O. 547, printed No. 103, entitled "An act to regulate the registration of the births of children of residents of the city of New York, occurring during the temporary absence from such of the parents of such children, and respecting transcripts of the records," reported in favor of the passage of the same, with amendments as follows:

Section one, line three, after the words "New York," insert "and the birth of children which failed to be recorded through the neglect of the physician, or other medical attendant present at such birth;" Section, line seven, strike out after the word "children," to and including the word "recorded;" also to amend the title by inserting the words "New York," the following: "And the birth of children which failed to be recorded through the neglect of the physician or other medical attendant present at such birth."

r. Titus, from the sub-committee of the whole, to which was red Assembly bill G. O. 335, printed No. 310, entitled "An act relating to certain streets and avenues in Astoria, Long Island City," reported in favor of the passage of the same, without amendment.

r. Titus, from the sub-committee of the whole, to which was red Assembly bill G. O. 291, printed No. 289, entitled "An act to amend chapter four hundred and sixty-one of the Laws of eighteen hundred and sixty-seven, entitled 'An act for the support and relief of the poor and for the government of the poor department in the city of Erie,' passed April nineteenth, eighteen hundred and sixty-n," reported in favor of the passage of the same, with amendments as follows:

Section one, lines eighteen and nineteen, strike out the words "ward of supervisors," and insert "county judge."

Also to add at the end of section one as subdivision eight the following:

He shall furnish to the board of supervisors, on or before the first week of the annual session of said board in each year, a detailed statement of all outstanding indebtedness or liability against said house belonging to his department, and a failure to furnish such statement, or the willful omission from such statement of any liability or indebtedness, shall be deemed a misdemeanor, and on conviction shall be punishable by fine not exceeding two hundred dollars, or by imprisonment not exceeding one year, or by both such fine and imprisonment.

r. Titus, from the sub-committee of the whole, to which was red Assembly bill G. O. 671, printed No. 587, entitled "An act exempt Fulton county from the provisions and operations of chapter one hundred and seventy-five of the Laws of eighteen hundred

and seventy, entitled 'An act creating a board of town auditors in the several towns of this State and to prescribe their powers and duties,' reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 502, printed No. 454, entitled "An act to amend chapter five hundred and thirty-four of the Laws of eighteen hundred and seventy-nine, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 441, printed No. 403, entitled "An act to change the name of Hamburg Cemetery Association to Prospect Lawn Cemetery Association, and to legalize certain acts of said association," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 735, printed No. 635, entitled "An act to enable the electors of the town of Mayfield, Fulton county, N. Y., to vote by districts for town officers," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 564, printed No. 497, entitled "An act to amend section four of title three and section six of title four of an act entitled 'An act for the incorporation of villages,' passed April twentieth, eighteen hundred and seventy," reported in favor of the passage of the same, with amendments as follows:

Section one, line one, strike out first words "An act" and insert "chapter two hundred and ninety-one of the Laws of eighteen hundred and seventy."

Also to amend the title so that it will read :

"An act to amend section four of title three and section six of title four of chapter two hundred and ninety-one of the Laws of eighteen hundred and seventy, entitled 'An act for the incorporation of villages,'"

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 574, printed No. 503, entitled "An act to amend chapter five hundred and fifty-five, Laws of eighteen hundred and sixty-four, entitled 'An act to revise and consolidate the general acts relating to public instruction,'" passed May second, eighteen hundred and sixty-four, three-fifths being present, reported in favor of the passage of the same, with an amendment as follows:

Amend the title by striking out the words "passed May second. eighteen hundred and sixty-four, three-fifths being present."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 410, printed No. 376, entitled "An act to amend section thirty-seven, chapter five hundred and thirty-four of the Laws of eighteen hundred and seventy-nine, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,'" passed June twentieth, eighteen hundred and seventy-nine, reported in favor of the passage of the same, with an amendment as follows:

Section one, line nine, strike out the word "wholly."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 682, printed No. 596, entitled "An act to legalize the action of the annual town meeting of the town of Johnstown, in the county of Fulton, held on the tenth and eleventh of

February, eighteen hundred and eighty, in raising money for roads and bridges and authorizing the collection thereof," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 338, printed No. 221, entitled "An act to amend an act entitled 'An act authorizing the incorporation of rural cemetery associations,'" passed April twenty-seven, eighteen hundred and forty-seven, and the acts amendatory thereof, reported in favor of the passage of the same, with an amendment as follows:

Amend the title so that it will read:

"An act to amend chapter one hundred and thirty-three of the Laws of eighteen hundred and forty-seven, entitled 'An act authorizing the incorporation of rural cemetery associations, and the acts amendatory thereof.'"

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 744, printed No. 642, entitled "An act to facilitate the removal of stable manure from the built-up portions of the city of New York," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 423, printed No. 388, entitled "An act to amend chapter two hundred and sixty-five of the Laws of eighteen hundred and forty-eight, entitled 'An act to provide for the incorporation and regulation of telegraph companies,'" reported in favor of the passage of the same, with an amendment as follows:

To add at the end of section one the following:

"But said provisions shall not in any way apply to the territory embraced within the corporate limits of any city in this State."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 642, printed No. 561, entitled "An act in relation to taxes and assessments levied prior to January first, eighteen hundred and seventy-four, in the towns annexed from the county of Westchester to the city of New York," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 652, printed No. 568, entitled "An act to amend an act entitled 'An act to amend the charter of the village of Nassau, in the county of Rensselaer,' passed April seventeenth, eighteen hundred and sixty-six," reported in favor of the passage of the same, with an amendment as follows:

Amend the title so that it will read:

"An act to amend chapter six hundred and twenty-eight of the Laws of eighteen hundred and sixty-six, entitled 'An act to amend the charter of the village of Nassau, in the county of Rensselaer.'"

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 315, printed No. 292, entitled "An act to amend chapter seventy-seven of the Laws of eighteen hundred and forty-six, entitled 'An act to provide for the erection and establishment of a work-house in the county of Erie,'" reported in favor of the passage of the same, with amendments as follows:

To strike out the word "superintendent" wherever it occurs in the bill, and insert "keeper."

Section one, line eighteen, strike out the words "board of supervisors," and insert "county judge;" line twenty-one, after the word

"duty," strike out down to and including the word "necessary" in line twenty-three.

Also to add at the end of section one the following:

"The said keeper shall also furnish to the board of supervisors, on or before the third week of the annual session of said board in each year, a detailed statement of all outstanding indebtedness or liability against said work-house belonging to his department, and a failure to furnish such statement shall be deemed a misdemeanor, and on conviction shall be punishable by fine not exceeding two hundred dollars, or by imprisonment not exceeding one year, or by both such fine and imprisonment. The board of supervisors of said county shall have power, and it shall be their duty to make, establish and adopt, from time to time, such rules and regulations for the management of said work-house, and the support, employment and discipline of the persons therein confined as they shall deem necessary. Said board may also, from time to time, appoint such work-house commissioners as shall seem to them expedient, and shall prescribe their compensation; said commissioners shall have such supervisory power over said work-house as shall be conferred upon them by the board of supervisors, or is conferred upon them by existing laws.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 592, printed No. 517, entitled "An act to authorize and direct the comptroller of the city of New York to pay the salary of James E. McVeany, as one of the assistant aldermen of the city of New York," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 245, printed No. 228, entitled "An act to provide for the improvement of Steinway avenue, in Long Island City," reported in favor of the passage of the same, without amendment.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

*Ordered*, That said bills be engrossed for a third reading.

Mr. Travis stated that he would have to decline to act upon the special committee appointed to investigate charges made against the superintendent of the wrapping department.

Mr. Speaker appointed in place of Mr. Travis Mr. Roberts.

Mr. I. S. Carpenter offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 647, general orders No. 752, entitled "An act to authorize and facilitate the construction and improvement of sidewalks in the streets of unincorporated villages, and the application of highway labor thereto," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Titus, from the sub-committee of the whole, called from the table a report in words following:

*Report of the sub-committee of the whole.*

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 751, printed No. 131, entitled "An act to amend chapter eight hundred and sixty-eight, Laws of eighteen hundred and seventy-two, entitled 'An act to incorporate the United States Loan and Security Company,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 821, printed No. 241, entitled "An act to amend chapter fifty-three of the Laws of eighteen hundred and seventy-nine, entitled 'An act to revise the charter of the city of Auburn,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 565, printed No. 211, entitled "An act to amend chapter one hundred and seventy-six of the Laws of eighteen hundred and seventy-two, entitled 'An act in relation to the village of Canandaigua, and to provide a police justice and police constables in said village, and defining their jurisdiction, powers and duties,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 552, printed No. 148, entitled "An act to legalize the official acts of certain justices of the peace, and authorizing justices of the peace to execute and file official bonds," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 659, printed No. 573, entitled "An act to permit the admission of persons not paupers into the asylums of this State," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 653, printed No. 569, entitled "An act to amend, revise and consolidate an act entitled 'An act to incorporate the village of New Brighton, passed April twentieth, eighteen hundred and sixty-six, and amended April twenty-second, eighteen hundred and sixty-seven, April twenty-seventh, eighteen hundred and seventy-one, March twenty-seventh, eighteen hundred and seventy-two, and May fourteenth, eighteen hundred and seventy-three, and May nineteenth, eighteen hundred and seventy-five, so that the several sections thereof shall read, respectively, as follows,'" reported in favor of the passage of the same, with an amendment as follows:

To amend the title so that it will read as follows:

"An act to amend, revise and consolidate chapter eight hundred and nineteen of the Laws of eighteen hundred and sixty-six, entitled 'An act to incorporate the village of New Brighton, and the acts amendatory thereof and supplemental thereto, so that the several sections thereof shall read, respectively, as follows:'"

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 729, printed No. 632, entitled "An act supplemental to chapter one hundred and ninety-four of the Laws of eighteen hundred and forty-nine, entitled 'An act to vest in the board of supervisors certain legislative powers, and to prescribe their fees for certain services,' and to repeal chapter five hundred and ninety-seven of the Laws of eighteen hundred and seventy, amendatory of said act," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 408, printed No. 374, entitled "An act to vest certain powers in 'The Kingston Board of Education' and to facilitate the collection of taxes in the Kingston school district," reported in favor of the passage of the same, with amendments as follows:

Strike out all of section one and insert as follows:

SECTION 1. It shall be the duty of the president of the Kingston Board of Education and the supervisor of the town of Ulster, formerly Kingston, before any of the tax lists are prepared for the collection of

taxes in the Kingston school district in the county of Ulster, which district was created under and by virtue of the provisions of chapter three hundred and sixty of the Laws of eighteen hundred and sixty-three, and embraces within its boundaries a part of the territory included in the city of Kingston, and also a part of the territory included in the present town of Ulster, formerly Kingston, to proceed to inquire and determine whether the valuation of real property upon the assessment roll of said town is substantially just as compared with the valuation of real property upon the assessment roll of the city of Kingston, so far as said Kingston school district is concerned, and if determined not to be so they shall alter the valuation of property lying in either town or city so as to make the ratio of valuation just and equal as near as may be throughout the entire Kingston school district; the assessment shall be based upon such equalized valuations; if the supervisor and president aforesaid are unable to agree, they shall summon a supervisor from some adjoining town who shall unite in such inquiry, and the finding of a majority shall be the determination of such meeting; before proceeding to equalize the president of the board shall take and subscribe the usual oath administered to supervisors; the same compensation shall be allowed to said president as is now allowed by law to supervisors for such work.

Also to amend the title so that it will read:

"An act to vest certain powers in 'The President of the Kingston Board of Education' and the supervisor of the town of Ulster, formerly Kingston, and to facilitate the collection of taxes in the Kingston school district."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 711, printed No. 618, entitled "An act to provide for payment of a salary to the county clerks of Richmond and Franklin counties in lieu of all charges now made against the county," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 606, printed No. 534, entitled "An act to amend chapter fifty of the Laws of eighteen hundred and forty-eight, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,'" reported in favor of the passage of the same, with amendments as follows:

Section one, line fourteen, after the word "every" insert trustee;" line seventeen, change the word "trustees" to "trustee;" and insert after the word "trustees" "officer or agent."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 702, printed No. 610, entitled "An act for the protection of farmers and market gardeners," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 697, printed No. 608, entitled "An act authorizing certain officers of the town of Orleans to issue bonds to pay indebtedness of said town," reported in favor of the passage of the same without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 623, printed No. 547, entitled "An act to amend section one of chapter seven hundred and ninety-two of the Laws of eighteen hundred and sixty-six, entitled 'An act to incorporate the village of Port Richmond in the county of Richmond,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 633, printed No. 554, entitled "An act to amend chapter one hundred and eighty-four of the Laws of eighteen hundred and thirty-nine, entitled 'An act in relation to trusts for the benefit of the meetings of the religious society of Friends,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred assembly bill G. O. 374, printed No. 348, entitled "An act to provide for the collection of unpaid city taxes and local assessments in the city of Buffalo," reported in favor of the passage of the same, with amendments as follows:

Section five, line two, strike out after the word "comptroller," down to and including the word "surplus" in line five; lines six and seven, strike out the words "with a statement of the dispute;" line eight, strike out the words "its payment to him."

Add at the end of section five the following:

"And decree its distribution and payment to the person or persons entitled thereto."

Section six, line seven, strike out the word "immediately."

Section seven, line five, strike out the word "thereon," and insert after the word "interest" "on the amount of the tax, interest and on the aforesaid;" line six, after the word "annum," insert "and expenses balance of said sum at the rate of seven per cent per annum."

Section eight, line nine, strike out the word "conclusive," and insert "presumptive."

Section ten, line seven, strike out the word "eight," and insert "six;" line ten, strike out the word "so," and after the word "expenses," insert "of the amount or sums;" line twelve, strike out the words "or assessment," and insert after the word "original" the words "general city."

Section eleven, after the word "estate" in line fourteen, insert "no action shall be brought or maintained upon any local assessment for local improvement."

Mr. Titus, from the sub-committee of the whole, to which was referred assembly bill G. O. 656, printed No. 572, entitled "An act to amend chapter five hundred and fifty-five of the Laws of eighteen hundred and sixty-four, entitled 'An act to revise and consolidate the general acts relating to public instruction,'" reported in favor of the passage of the same, with an amendment as follows:

Section one, line one, after the word "seventy-seven," insert "of title seven."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 382, printed No. 354, entitled "An act to require banks, banking associations and individual bankers to redeem and retire their circulating notes, and to authorize the superintendent of the banking department to return the securities held by him to secure such circulation," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 531, printed No. 475, entitled "An act to incorporate the National Guard Mutual Relief Association of the State of New York," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was



referred Assembly bill G. O. 523, printed No. 469, entitled "An act to amend chapter four hundred and ten of the Laws of eighteen hundred and seventy-eight, entitled 'An act to improve Flushing avenue, Long Island City,'" reported in favor of the passage of the same, with an amendment as follows:

Section one, line four, strike out the name of "James R. Bennett" and insert "Jacob Stahl."

Mr. Titus, from the sub-committee of the whole, to which was referred assembly bill G. O. 622, printed No. 546, entitled "An act to amend the charter of the village of Edgewater," reported in favor of the passage of the same, with amendments as follows:

Section one, line eighty-two, after the word "vacancy," insert "or case of suspension;" same line, after the word "office," strike out down to and including the word "act" in line eighty-three.

Line eighty-five, after the word "receive," strike out all down to and including the word "manner" in line eighty-seven, and insert "from the village, except in the case of a vacancy or suspension, the fees allowed by law to justices of the peace outside of the village in similar cases, and he shall present a verified statement of the same, monthly, to the board of trustees, which upon due notice to the police justice and proof satisfactory to it of the sickness, temporary absence or inability to act of said police justice, shall pay to said acting justice the lawful amount of such fees which shall then be deducted from the salary of the police justice; in case of a vacancy or suspension in the office of police justice, the acting justice shall, during the continuance of such vacancy or suspension, receive the salary provided for a police justice, and in a case of suspension the same shall be deducted from the salary of the police justice."

Strike out all of lines one hundred and nine and one hundred and ten, and down to the word "docket" in line one hundred and eleven, and insert:

"§ 5. The said police justice and acting police justice shall each keep a docket, which shall be furnished by the board of trustees, in which he shall correctly enter full minutes of all business done before him as such justice, giving in each case among such other facts as may be proper, the dates of the proceedings before him, the name and residence of the complainant, the name and residence of the defendant or offender, the substance of the complaint or charge, the names of all the witnesses produced, the disposition of the case made by him, and the amount of any fine or penalty imposed by him, and a statement as to whether the same was paid or not, and the date of payment, said."

Line one hundred and fourteen, strike out the word "court" and insert "village."

Line one hundred and twenty-six, after the word "law," insert "and in all such cases said justice of the peace shall be entitled to receive from the village the fees allowed by law to justices of the peace outside of the village in similar cases, and he shall present a verified statement of the same to the board of trustees, which upon due notice to the police justice and other regularly designated justices of the peace, and proof satisfactory to it of the sickness or temporary absence or inability to act of both of said justices, shall pay to said justice of the peace the lawful amount of such fees, which shall then be deducted from the salary of the police justice."

Line one hundred and thirty-seven, after the word "empowered" insert "and directed."

Line one hundred and forty-one, after the word "and" insert "to that place only shall."

Line one hundred and forty-two, strike out the word "shall" and also the word "therein."

Line one hundred and forty-seven, strike out the words "shall commit" and insert "all committals of;" same line, change the word "prisoner" to "prisoners;" also change the word "person" to "persons;" and insert after the word "person" the words "shall be."

Line one hundred and fifty-two, after the word "him" insert "which shall be furnished by the board of trustees and shall be the property of the village, and shall be."

Line one hundred and fifty-six, change the word "book" to "books."

Line one hundred and fifty-seven, change the word "justice" to "justices."

Insert at the end of line one hundred and sixty-seven the words "in lieu of all other compensation."

Line one hundred and seventy, strike out "twelve" and insert "fifteen."

Line one hundred and seventy-one, after the word "him" insert "in equal installments."

Line one hundred and seventy-three, after the word "village" insert "but such salary shall be subject to the deductions hereinbefore provided to be made upon payment to the justice of the peace acting in the place and stead of the police justice."

Line one hundred and seventy-four, after the word "detaining" insert "in the lock-up."

Line one hundred and seventy-six, after the word "and" insert "shall be."

Line one hundred and seventy-seven, after the word "expense" insert "and the compensation or fees of any acting justice."

Line one hundred and eighty-five, after the word "dollars" strike out all down to and including the word "annum" in line one hundred and eighty-eight.

Section four, lines seven and eight, strike out the words "of police regulation."

Also to amend the title so that it will read:

"An act to amend chapter six hundred and seventy-four of the Laws of eighteen hundred and seventy, entitled 'An act to amend and consolidate and re-enact an act entitled 'An act to incorporate the village of Edgewater,' passed March twenty-second, eighteen hundred and sixty-six, and 'An act amending the same, passed April twenty-second, eighteen hundred and sixty-seven, and to extend the powers of the corporation, and the acts amendatory thereof and supplemental thereto.'"

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 417, printed No. 382, entitled "An act to amend chapter four hundred and eighty-two of the Laws of eighteen hundred and seventy-five, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" reported adversely thereto.

Mr. Speaker put the question whether the House would agree to said adverse report, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree

to the remainder of said report, and it was determined in the affirmative.

*Ordered*, That said bills be engrossed for a third reading.

Mr. Speaker presented a list of bills selected by the Speaker and Clerk for reference to the sub-committee of the whole; which was laid on the table and ordered printed.

No. 505, G. O. 576, Mr. Bridges: "An act to legalize the official acts of Elihu W. Clarke, a justice of the peace of the town of Milford, in the county of Otsego."

No. 566, G. O. 650, Mr. Bullock: "An act to provide for the protection of mechanics and others."

No. 501, G. O. 571, Mr. Crafts: "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,' so far as said act relates to the village of Wolcott.

No. 529, G. O. 602, Mr. J. L. Wells: "An act to further amend chapter 379 of the Laws of 1875, entitled 'An act to define and limit the liens of contractors and others upon real estate in the city and county of New York, and to provide for the enforcement thereof,'" passed May 17, 1875.

No. 548, G. O. 624, Mr. I. S. Carpenter: "An act to amend chapter 16 of part 1 of the Revised Statutes in relation to highways and bridges.

Senate bill No. 246, G. O. 759, Mr. Eidman: "An act to incorporate the Maenner Gesang Verein Eichenkranz."

No. 571, G. O. 655, Mr. Youngs: "An act to amend chapter 510 of the Laws of 1869, entitled 'An act to amend an act entitled 'An act to incorporate the village of Flushing,' passed April 15, 1837, and the several acts amendatory thereof, passed March 20, 1857.

No. 567, G. O. 651, Mr. Youngs: "An act in relation to the overseers of the poor of the town of Flushing, Queens county."

No. 173, G. O. 185, Mr. Russell: "An act to amend an act entitled 'An act to incorporate the New York State Convention of Universalists,'" passed April 12, 1862, for the purpose of organizing a missionary board, and defining its powers and duties.

No. 531, G. O. 603, Mr. E. D. Benedict: "An act amending subdivision 7, chapter 448 of the Laws of 1876," commonly known as the Code of Civil Procedure.

No. 573, G. O. 657, Mr. E. D. Benedict: "An act to amend section 2 of chapter 405 of the Laws of 1879, entitled 'An act to amend sections 2 and 10 of chapter 248 of the Laws of 1878.'"

No. 595, G. O. 681, Mr. Chickering: "An act relating to the title to personal property."

No. 552, G. O. 628, Mr. Roberts: "An act to incorporate the Supreme Council of Royal Templars of Temperance, and to provide for the organization of select councils, and a grand council for the State of New York."

Senate bill No. 195, G. O. 783, Mr. Williams: "An act to incorporate the Temple Beth Zion of Buffalo, New York."

No. 556, G. O. 635, Mr. Husted: "An act to regulate the passage of lumber, logs and other timber upon the rivers of this State, recognized by law or common use as public highways for the purpose of floating and running lumber, logs and other timber over or upon the same to market or places of manufacture."

No. 593, G. O. 679, Mr. D. A. Wells: "An act to confirm the official

acts of George M. Briggs, Charles Forbes and George W. Brimmer, commissioners of excise in and for the town of Broadalbin, in the county of Fulton, and to enable them to execute a bond to the supervisor thereof."

No. 400, G. O. 371, Mr. Mitchell: "An act for the incorporation of mutual tontine annuity societies."

No. 532, G. O. 604, Mr. Mitchell: "An act to restrict appeals to the court of appeals in certain cases."

No. 514, G. O. 589, Mr. Clowes: "An act to reduce the expenses of the improvement commission in Long Island City."

No. 323, G. O. 349, Mr. Kennedy: "An act to regulate the use of intoxicating liquors in poor-houses, juvenile reformatories, protectories, houses of refuge, jails, penitentiaries and prisons."

No. 597, G. O. 684, Mr. Hayes: "An act to amend chapter 17 of the Laws of the second meeting of the 51st session of the Legislature of the State of New York, entitled 'An act to incorporate the contributors to the Northern dispensary of the city of New York,' passed November 28, 1828."

No. 609, G. O. 701, Mr. Douglass: "An act to prevent the sale of any adulterated article as cider vinegar."

No. 633, G. O. 732, Mr. Miller: "An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers,'"

No. 620, G. O. 713, Mr. Miller: "An act to incorporate the Holstein Breeders Association of America."

No. 636, G. O. 736, Mr. D. A. Wells: "An act to amend an act entitled 'An act to enable the electors of the town of Johnstown to vote by districts for town officers,' passed March 21, 1862."

Mr. Terry moved that this House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Pursuant to the 9th joint rule, Mr. Speaker announced the order of business, third reading of bills.

Mr. Skinner moved to lay said order of business on the table, for the purpose of taking up order of business general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

The bill entitled "An act to amend chapter 526 of the Laws of 1819, entitled 'An act to amend chapter 161 of the Laws of 1872, entitled 'An act for the protection of tax payers against the frauds, embezzlements and wrongful acts of public officers and agents,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 77 }  
} NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	Kennedy	Shuit
Andrews	Davis	Lefever	Skinner
Baker, B. F.	Deane	Liddle	Slingerland
Baker, C. S.	Dougherty	Lindsay	Strait
Beach	Duell	Low	Tallmadge

Beates	Duguid	Miller	Terpeny
Benedict, E. D.	Ellis	Mitchell	Terry
Bridges	Evans	Moors	Thilemann
Brodsky	Ferris	Morgan	Tozier
Bullock	Fish	Nowlan	Travis
Carpenter, I. S.	Fiske	Phillips	Treanor
Case	Gillette	Potter	Tuthill, H. H.
Chamberlain	Gorsline	Potts	Tuttle, R. M.
Chickering	Gray	Rhodes	Van Valkenburgh
Childs	Griggs	Root	Waterbury
Clancy	Gwinup	Russell	Wells, J. L.
Clark	Hagan	Seeley	Wren
Comstock	Howland	Shanley	Youngs
Cullinan	Husted	Sherman	Mr. Speaker
Curtis			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Messrs. Cullinan, Gray, Steele, Ellis, Titus, Mead, —Baker, Tuttle, Russell and Warner presented petitions against the passage of the (so called) Hepburn railroad bills; which were read and referred to the committee on railroads.

Messrs. —Baker, Steele, Bridges, Titus, Ellis, Tallmadge, Shuit, Sharpe and Steele presented petitions in favor of the passage of the (so called) Hepburn railroad bills; which were read and referred to the committee on railroads.

Messrs. Mitchell, Cullinan, Phillips, Terry and Nowlan presented petitions against the bill proposing to tax church property; which were read and referred to the special committee on taxation.

Messrs. —Baker and Mitchell presented petitions for the repeal of the law exempting church property from taxation; which were read and referred to the special committee on taxation.

Messrs. Beates, Van Valkenburgh, Gray, Chamberlain, Bridges, Mead, Nowlan and Titus presented petitions asking for an amendment to the constitution prohibiting the sale of intoxicating liquors; which were read and referred to the committee on internal affairs.

Messrs. Cullinan, Root, Warner and Steele presented petitions against any change in the excise laws; which were read and referred to the committee on internal affairs.

Messrs. Low, Van Valkenburgh and Root presented petitions against any change in the size of apple barrels; which were read and referred to the sub-committee of the whole.

Messrs. Mitchell, Russell, Duell, Gibbs, Shuit, Strait, Catlin, Carpenter, Alvord, Miller, — Baker and Mead presented petitions against Assembly bill No. 437, in relation to the taxation of savings banks and savings institutions; which were read and referred to the committee of the whole.

Mr. Catlin presented a petition against the passage of Assembly bill No. 426, entitled "An act to authorize the lighting of public streets in Westchester;" which was read and referred to the special committee on taxation.

Mr. Miller presented a petition in favor of taxing all town and city bonds issued to aid in the construction of railroads in the towns and cities where issued; which was read and referred to the special committee on taxation.

Mr. Cullinan presented a petition relative to female prisoners and paupers; which was read and referred to the committee on State prisons.

Mr. Husted presented a petition against fire proof shutters on warehouses ; which was read and referred to the committee on affairs of cities.

Mr. Wren presented a petition in favor of a children's park ; which was read and referred to the committee on affairs of cities.

Mr. Van Valkenburgh moved that the House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

At 9 o'clock and 40 minutes the House adjourned.

## TUESDAY MORNING, APRIL 20, 1880.

The House met pursuant to adjournment.

Prayer by Rev. C. M. Robertson, of Troy.

The journal of yesterday was read and approved.

Mr. Speaker directed the Clerk to call the roll of members to ascertain if a quorum was present, and the following members answered to their names :

Alvord	Cullinan	Ingersoll	Shuit
Andrews	Curtis	Lefever	Skinner
Baker, C. S.	Davis	Lindsay	Slingerland
Beates	Deane	Low	Steele
Bradley	Douglass	McCabe	Strait
Brennan	Duell	Miller	Terpeny
Bridges	Ellis	Morgan	Terry
Brodsky	Ferrie	Newman	Titus
Bullock	Fish	Nowlan	Tozier
Carpenter, E. A.	Fiske	Peck	Travis
Case	Gorsline	Phillips	Treanor
Chamberlain	Gray	Potts	Tuttle, R. M.
Chickering	Griggs	Rhodes	Van Valkenburgh
Childs	Gwinup	Root	Varnum
Comstock	Hoffman	Russell	Waterbury
Congdon	Howland	Seeley	Wells, J. L.
Crapser	Hurd	Sherman	Mr. Speaker 68

A quorum being present.

By unanimous consent,

Mr. Brennan offered for the consideration of the House a resolution in the words following :

*Resolved*, That the committee of the whole be discharged from the further consideration of bill No. 630, general orders No. 727, entitled "An act to authorize the Comptroller to compromise and settle claims against the sureties of the New York and Erie Bank of Buffalo," and that said bill be ordered engrossed for a third reading.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. C. S. Baker offered for the consideration of the House a resolution in the words following :

*Resolved*, That the committee of the whole be discharged from the further consideration of bill No. 708, general orders No. 841, entitled "An act in relation to the Rochester and Lake Ontario Railway Com-

pany, to confirm its present route and authorize said company to hold and improve the real estate now held and owned by said company," and that said bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Bradley offered for the consideration of the House a resolution in the words following:

"An act to amend chapter 163 of the Laws of 1873, entitled 'An act to organize and establish a police for the city of Yonkers,' which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Bradley, and by unanimous consent, said bill was ordered to a third reading, and printed.

By unanimous consent,

Mr. Hurd offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee of the whole be discharged from the further consideration of Senate bill No. 39, entitled "An act to authorize a tax of thirty-four-one-hundredths of a mill, per dollar of valuation, to provide for a deficiency in the sinking fund, under article 7, section 3 of the Constitution;" also, Senate bill No. 38, entitled "An act making appropriations for the payment of the principal and interest of the canal debt for the fiscal year commencing on the 1st day of October, 1880," and that said bill be ordered to a third reading.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Grosse introduced a bill entitled "An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

Mr. Varnum introduced a bill entitled "An act to repeal chapter 517 of the Laws of 1872, entitled 'An act in relation to the unadjusted claims of the soldiers in the war of 1812,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on militia.

Mr. Youngs introduced a bill entitled "An act to amend chapter 415 of the Laws of 1873, entitled 'An act to amend chapter 510 of the Laws of 1869, entitled 'An act to amend an act to incorporate the village of Flushing, passed April 15, 1837, and the several acts amendatory thereof, passed March 20, 1857,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Crapser introduced a bill entitled "An act in relation to the village of Potsdam," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Crapser, and by unanimous consent, said bill was ordered to a third reading.

Mr. Andrews introduced a bill entitled "An act to revise and amend title 11 of chapter 291 of the Laws of 1867, entitled 'An act to incorporate the city of Binghamton, and the several acts amendatory thereof,'" which was read the first time, and by unanimous consent

was also read the second time, and referred to the committee on affairs of cities.

Mr. Liddle introduced a bill entitled "An act authorizing individual joint-stock associations or corporations engaged in the manufacture of railroad cars to lay down and maintain railroad tracks connecting their manufacturing establishments with existing railroads," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

On motion of Mr. Congdon, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill entitled "An act to authorize the incorporation of the Red House Driving Park Agricultural Society among the Indians of the Allegany and Cattaraugus Reservation," and said bill was ordered engrossed for a third reading.

On motion of Mr. Phillips, and by unanimous consent, the committee of the whole was discharged from the further consideration of bill No. 496, entitled "An act to incorporate Alert Hose Company No 3, of Medina, New York," and said bill was ordered to a third reading.

By unanimous consent,

Mr. Brodsky offered for the consideration of the House a resolution in the words following:

*Resolved*, 'That the committee of the whole be discharged from the further consideration of bill No. 693, general orders 820, entitled "An act to establish a police pension fund for disabled and retired members, and the widows and children of deceased members of the police department of the city of New York," be ordered engrossed for a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Nowlan (introductory No. 1016), entitled "An act to amend chapter 297 of the Laws of 1862, entitled 'An act to incorporate the fire department of the village of Owego,' passed April 17, 1862," reported in favor of the passage same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Chickering, from the committee on game laws, to which was referred the bill introduced by Mr. Alvord (introductory No. 1032), entitled "An act protecting fish in certain waters of this State," reported in favor of the passage of the same.

On motion of Mr. Alvord, and by unanimous consent, said bill was referred to the sub-committee of the whole.

Mr. Chickering, from the committee on game laws, to which was referred the bill introduced by Mr. Potts (introductory No. 124), entitled "An act for the preservation of wild deer in the county of Sullivan," reported adversely thereto, which report was agreed to.

Mr. Chickering, from the committee on game laws, to which was referred the bill introduced by Mr. E. A. Carpenter (introductory No. 1009), entitled "An act to repeal chapter 306 of the Laws of 1866, entitled 'An act for the protection of the planting of oysters in the towns of Huntington and Islip, in the county of Suffolk, New York,' and chapter 666 of the Laws of 1872, amendatory thereof, so far as said act may be applicable to the present town of Huntington, in said county," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.



This being the day assigned under the rule for the consideration of general orders,

The House resolved itself into committee of the whole on the bills entitled as follows:

"An act to amend chapter 824 of the Laws of 1873, entitled 'An act to amend section 19 of chapter 570 of the Laws of 1872, entitled 'An act to ascertain by proper proofs the citizens who shall be entitled to the right of suffrage in the State of New York, except in the city and county of New York and the city of Brooklyn, and to repeal chapter 572 of the Laws of 1871, entitled 'An act to amend an act entitled 'An act in relation to elections in the city and county of New York.'"

"An act to extend the definition of the crime of perjury, and for other purposes."

"An act to amend section 1 of chapter 466 of the Laws of 1853, entitled 'An act to provide for the incorporation of fire insurance companies.'"

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Lefever, from said committee, reported in favor of the passage of the first and last named bills, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Lefever, from said committee, also reported in favor of the passage of the second named bill, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Alvord moved to recommit the first named bill to the committee on affairs of villages, for amendment, with instructions to report the same back to the House at any time, retaining its place on order of third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Gwinup offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 705, general orders No. 833, entitled "An act for the protection of laborers and persons furnishing materials and supplies in procuring logs and timber from the woodland and forests of this State," be made a special order for Friday morning next, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

The House again resolved itself into a committee of the whole, and after some time spent therein,

Mr. Speaker resumed the chair, and directed the Clerk to call the roll to ascertain if a quorum of members were present, and the following members answered to their names.

Alvord	Curtis	Kennedy	Shuit
Andrews	Davis	Lefever	Sipp
Baker, B. F.	Deane	Liddle	Siason
Baker, C. S.	Douglass	Lindsay	Skinner
Beates	Duell	Low	Strait
Bradley	Duguid	McCabe	Terpeny
Brennan	Ellis	Miller	Terry
Bridges	Evans	Mitchell	Titus
Brodsky	Ferris	Mooers	Tozier
Carpenter, E. A.	Fish	Morgan	Travis

Carpenter, I. S.	Riske	Newman	Treanor
Case	Gillette	Nowlan	Tuthill, H. H.
Catlin	Gorsline	Peck	Tuttle, R. M.
Chamberlain	Gray	Phillips	Van Valkenburgh
Chase	Griggs	Potter	Varnum
Chickering	Gwinup	Potts	Warner
Childs	Hoffman	Rhodes	Waterbury
Oomstock	Howland	Root	Wells, J. L.
Congdon	Hurd	Sanders	Wren
Crapser	Husted	Seeley	Youngs
Cullinan	Ingersoll	Sherman	Mr. Speaker 84

A quorum being present,

Leave of absence was granted to Messrs. Ash, Roberts, Hayes, Cookinham and Grosse.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to authorize the trustees of the village of Flushing to exempt property from taxation."

Senate, "An act authorizing the construction of a bridge over the Erie canal at Kent street, in the village of Palmyra."

"An act to amend an act entitled 'An act to amend the charter of the village of Saratoga Springs,' passed March 26, 1866, and the acts amendatory thereof, passed May 17, 1872, three-fifths being present."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Phillips, from said committee, reported that they had stricken out the title of the first named bill, which report was agreed to.

Mr. Phillips, from said committee, also reported in favor of the passage of the second named bill, which report was agreed to, and the same ordered to a third reading.

Mr. Phillips, from said committee, also reported progress on the last named bill, and asked and obtained leave to sit again.

Mr. Potter moved to discharge the committee of the whole from the further consideration of the last named bill, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Alvord moved to recommit said bill to the committee on affairs of villages, retaining its place on order of third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Brodsky, on behalf of Mr. Grosse, offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 581, general orders No. 665, entitled "An act relating to the elevated railroads in the city of New York," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act authorizing and directing the enlargement of the west branch of the Eighteen Mile creek, north of the Erie canal, in the county of Niagara, so as to carry off the surplus waters of the Erie canal, and to prevent the overflow of lands adjacent thereto, and appropriating money for that purpose."

"An act to amend chapter 287 of the Laws of 1879, entitled 'An

act to provide for the formation of county and town co-operative insurance companies.”

Senate, “An act in relation to 4th avenue in the city of Brooklyn.”

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Gray, from said committee, reported in favor of the passage of the first named bill, with amendments, and title amended by striking out the words “and directing,” which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Gray, from said committee, also reported in favor of the passage of the second named bill, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Gray, from said committee, also reported progress on the last named bill, and asked and obtained leave to sit again.

Mr. Newman moved to discharge the committee of the whole from the further consideration of the last named bill, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Newman moved to recommit said bill to the committee on affairs of cities, with instructions to amend said bill and report at any time, retaining its place on order of third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

“An act allowing husbands and wives to deed and convey, sell, transfer and assign any real or personal property one to the other directly, and to pass the same title to the property as if the parties were unmarried.”

“An act to incorporate the Grand Legion Select Knights of Ancient Order of United Workmen.”

“An act to prevent any corporation, society, company or association from assuming the same or similar name or title of a corporation already in existence.”

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Gillette, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Gillette, from said committee, also reported in favor of the passage of the second named bill, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Gillette, from said committee, reported in favor of the passage of the last named bill, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

“An act further defining and limiting the powers and duties of the commissioners of the road formerly known as the Buffalo plank road, in the county of Erie, and contracting said road.”

“An act to amend chapter 458 of the Laws of 1875, entitled ‘An act to amend chapter 807 of the Laws of 1873, entitled ‘An act concerning notaries public in the counties of Kings, Queens, Richmond, Westchester and Rockland, and in the city and county of New York, and authorizing them to exercise the functions of their office therein.’”

“An act to legalize and confirm the official acts of William J.

Robb, a justice of the peace of the town of Perth, in the county of Fulton."

"An act to reduce and fix the rate of interest on bonds and mortgages held by the commissioners of the United States Deposit Fund in the several counties of the State."

"An act to further amend an act entitled 'An act to amend chapter 65 of the Laws of 1878, relating to the collection of taxes in the counties of Livingston, Montgomery, Oswego, Ulster and Ontario,' " and amended by chapter 200 of the Laws of 1879."

"An act to amend chapter 902 of the Laws of 1869, entitled 'An act to amend an act entitled 'An act to authorize life insurance companies to make special deposits of securities in the Insurance Department, and to authorize the Superintendent of said department to require special reports of such companies,' passed April 24, 1867, and, also, to provide for the appointment of receivers of such depositing companies in certain cases.'"

"An act for the relief of Bridget Gray, of the city of Albany, widow of Samuel Gray, late of the city of Albany, county of Albany, State of New York."

"An act to further amend chapter 361 of the Laws of 1867, entitled 'An act authorizing supplementary proceedings for the collection of taxes,' as amended by chapter 446 of the Laws of 1879, and supplemental thereto."

"An act for the relief of the Union Plank Road Company."

"An act to authorize deeds for burial lots in rural cemeteries to be recorded in any county in which any part of said cemeteries may be located."

"An act in relation to the equalization of taxes and assessments in the county of Chemung."

"An act to provide for leasing wharf property necessary for ferry purposes along with the franchise of a ferry within the city of New York."

"An act in relation to druggists, grocers or dealers in merchandise, who deal in intoxicating liquors, wines, ale or beer."

"An act making appropriations for the support and maintenance of juvenile delinquents."

"An act to authorize the trustees of the Manlius Academy to transfer and convey their academic property to the board of education of union free school No. 6, in the town of Manlius, of the county of Onondaga."

By unanimous consent,

Mr. Sanders, from the committee on affairs of villages, to which was recommitted the bill introduced by Mr. Potter (introductory No. 1026), entitled "An act to amend chapter 763 of the Laws of 1872, entitled 'An act to amend the charter of the village of Saratoga Springs,'" (said bill being on its order of third reading), reported back the same with amendments, which report was agreed to.

Mr. Sanders, from the committee on affairs of villages, to which was recommitted the bill introduced by Mr. Titus (introductory No. 772), entitled "An act to amend chapter 824 of the Laws of 1873, entitled 'An act to amend section 19 of chapter 570 of the Laws of 1872,'" reported back said bill with amendments, which report was agreed to, and the same ordered to a third reading.

Mr. E. A. Carpenter offered for the consideration of the House a resolution in the words following:

*Resolved*, That bill, introductory No. 1009, general orders No. 867,

entitled "An act to repeal an act entitled 'An act for the protection of the planting of oysters in the towns of Huntington and Islip, in the county of Suffolk, New York, chapter 306 of the Laws of 1866, and chapter 666 of the Laws of 1872, amendatory thereof, so far as said acts may be applicable to the present town of Huntington, Suffolk county,'" be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act regulating the payment of school moneys apportioned to the several counties of the State."

"An act to repeal chapter 443 of the Laws of 1868, entitled 'An act to limit and define the powers and privileges of the Eureka Basin Warehouse and Manufacturing Company of Long Island,' passed April 29, 1868."

"An act to amend chapter 5, title 2, part 2 of the Revised Statutes of the State of New York."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Childs, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Childs, from said committee, also reported in favor of the passage of the second and last named bills, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Tozier moved to discharge the committee of the whole from the further consideration of the first named bill, and that the same be ordered to a third reading.

Mr. Alvord moved as an amendment that said bill be recommitted to the committee on public education, with instructions to strike out the enacting clause.

Mr. Speaker put the question whether the House would agree to the amendment of Mr. Alvord, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Tozier, and it was determined in the negative.

{ AYES 20 }  
{ NOES 55 }

Those who voted in the affirmative, were

Andrews	Chickering	Gorsline	Skinner
Baker, C. S.	Childs	Swinup	Steele
Beach	Douglas	Howland	Tozier
Beates	Duguid	Morgan	Wells, J. L.
Catlin	Ellis	Seeley	Wren

Those who voted in the negative, were

Alvord	Deane	Lindsay	Sisson
Bradley	Duell	Low	Tallmadge
Bridges	Evans	McCabe	Terpeny
Brodsky	Fish	Miller	Terry
Bullock	Gray	Mitchell	Titus
Carpenter, E. A.	Griggs	Mooers	Travis
Carpenter, I. S.	Hayes	Phillips	Treanor
Case	Hoffman	Potter	Tuthill, H. H.
Clark	Hurd	Potts	Tuttle, R. M.
Comstock	Husted	Rhodes	Varnum
Congdon	Ingersoll	Root	Warner
Crapser	Kennedy	Sherman	Waterbury
Cullinan	Lefever	Shuit	Youngs
Davis	Liddle	Sipp	

Mr. Speaker appointed in the place of Mr. Roberts, on the special committee to investigate charges made against the superintendent of the wrapping department, Mr. Peck.

By unanimous consent,

Mr. Ingersoll offered for the consideration of the House a resolution in the words following :

*Resolved*, That Senate bill No. 190, entitled "An act to provide for the reporting of appointments to the benevolent institutions of the State," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The House again resolved itself into a committee of the whole on the bills entitled as follows :

"An act to amend an act entitled 'An act concerning the writ of certiorari in criminal cases,' " passed March 21, 1829.

"An act to validate the certificate of incorporation, and to legalize the acts of the Walton Water Company."

"An act in relation to the bonded indebtedness of the town of Saratoga, in the county of Saratoga."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Catlin, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Catlin, from said committee, reported that the committee had stricken out the enacting clause of the last named bill, which report was agreed to.

Mr. Youngs called from the table the report of the sub-committee, in words following :

*Report of the sub-committee of the whole.*

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 504, printed No. 456, entitled "An act to incorporate the State Charities Aid Association," reported in favor of the passage of the same, with an amendment as follows :

Section six, strike out after the word "institutions" in line four, down to and including the word "therewith" in line six ; also to add at the end of section six the following : "Excepting only such insane patients in State lunatic asylums as the physician in charge shall see fit to exempt from the operation of this provision."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 242, printed No. 225, entitled "An act to permit and authorize the city of Albany to issue the bonds of said city for the payment of the expense of draining, grading, forming, paving and flagging a portion of South Pearl street in the city of Albany, and to extend the time of payment of the assessments therefor," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 548, printed No. 168, entitled "An act to protect the rights of citizens of this State owning and holding claims against other States," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 507, printed No. 457, entitled "An act to amend chapter six hundred and thirteen of the Laws of eighteen hundred and sixty-seven, entitled 'An act in confirmation of the con-

veyance of lands to the Queens County Agricultural Society, and extending the powers of the officers of said society," reported in favor of the passage of the same, with an amendment as follows:

Section one, line seven, strike out the word "agriculturists," and insert "agricultural society."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 320, printed No. 297, entitled "An act to establish a special road district and to appropriate the highway taxes on the non-resident lands therein, for the construction of road from Blood's hotel, in Harrietstown, Franklin county, to Tupper's lake, in the county of Franklin, reported in favor of the passage of the same, with amendments as follows:

Section one, line one, strike out the names of "Leonard Nokes, of Harrietstown, Virgil C. Bartlett, of Brandon," and insert "William F. Martin, Isaiah Vosburgh of Harrietstown."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 490, printed No. 444, entitled "An act authorizing physicians of the different medical schools to meet in consultation," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 397, printed No. 366, entitled "An act to amend chapter one hundred and ninety-six of the Laws of eighteen hundred and thirty-five, entitled 'An act to incorporate the village of Mount Morris,'" reported in favor of the passage of the same, with amendments as follows:

Section 1, line four, strike out the word "and;" same line, after the word "sixty-two" insert "and sixty-three;" line six, after the word "limits" insert "excepting bridges and arch culverts which have heretofore been taken charge of and kept in repair by the town of Mount Morris;" same line, after the word "exempt" insert "except as to said bridges and arch culverts."

Also to add as section sixty-three as follows:

"Whenever a final award is made for damages sustained by reason of making such alteration or improvement, the persons acting as assessors may, within twenty days thereafter, assess the amount of such damages upon the estates, real and personal, in said village, and make out an assessment roll of such damages, which assessment roll shall be signed by the president and filed with the clerk and be collected in the same manner as the annual tax is collected, and the trustees shall, within one year from the time of such final award, pay or tender the amount of such damage to the persons to whom the same shall have been awarded; and in case such owner shall refuse the same or be unknown, or a non-resident of said village, idiot or lunatic, or the rights and interests of persons claiming the same shall be doubtful, it shall, in such cases, be lawful for the board of trustees to pay the amount of such damages to the county treasurer of the county where such lands are situated for the benefit of such person or persons as may be entitled to the same, accompanied by a statement of the facts under which such payment was made; the board of trustees shall cause the clerk of said village to make an entry in the village records of the money deposited, stating amount, with the names of the parties by the awards declared to be entitled to the same. On the proper person or persons being ascertained who are entitled to receive such money, the president of the village is authorized to draw an order on said county treasurer,

countersigned by the clerk, and payable to the order of the person or persons entitled to such money, for the amount due such person or persons."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 620, printed No. 545, entitled "An act to compel the maintenance of certain lights on draw bridges across the Hudson river," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 553, printed No. 87, entitled "An act to amend title four, chapter six, part second of the Revised Statutes, relating to the powers and duties of executors and administrators in relation to the sale and disposition of the real estate of their testator or intestate," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 164, printed No. 152, entitled "An act to authorize the superintendent of public works to construct a lift, hoist, swing or draw bridge over the Erie canal, upon Genesee street in the city of Utica," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 473, printed No. 430, entitled "An act to amend chapter two hundred and forty, Laws of eighteen hundred and twenty-seven, entitled 'An act for the incorporating an aqueduct association in the village of Cooperstown, in the county of Otsego,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 88, printed No. 88, entitled "An act in relation to the opening of streets, avenues and public parks or places in the city of New York," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 388, printed No. 359, entitled "An act to incorporate Excelsior Hose Company Number One, of the village of Warwick, New York," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 570, printed No. 141, entitled "An act to transfer the town of Berlin, in the county of Rensselaer, from the first to the second school commissioner district of said county, and the town of Brunswick in said county, from the second to the first school commissioner district of said county," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 296, printed No. 274, entitled "An act to amend an act entitled 'An act for the relief of stockholders of corporations whose certificates of stock have been lost or destroyed,' passed March twenty-seventh, eighteen hundred and seventy-three," reported in favor of the passage of the same, with an amendment as follows:

To amend the title so that it will read:

An act to amend section one of chapter one hundred and fifty-one of the Laws of eighteen hundred and seventy-three, entitled "An act



for the relief of stockholders of corporations whose certificates of stock have been lost or destroyed."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 618, printed No. 543, entitled "An act to provide for the proper drainage of lands in the city of New York," reported in favor of the passage of the same, with amendments as follows:

Section one, line five, after the word "thereof" insert "and the construction of drains therefor;" line nine, after the word "such," insert "proposed."

Section five, line three, strike out second word "in" and insert "the;" same line after the word "drains" insert "as herein proposed."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 351, printed No. 325, entitled "An act to amend section four hundred and thirty-five of the Code of Civil Procedure," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 703, printed No. 611, entitled "An act to provide for the protection and preservation of fish in the county of Monroe, State of New York," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 446, printed No. 408, entitled "An act to provide for the bringing of actions for relief in certain cases where agreements, contracts and instruments in writing have been recorded," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 424, printed No. 389, entitled "An act to amend chapter six hundred and eleven of the Laws of eighteen hundred and seventy-five, entitled 'An act to provide for the organization and regulation of certain business corporations,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 385, printed No. 357, entitled "An act to regulate the taking of clams and oysters in the waters of the State of New York on the north side of Staten Island," reported in favor of the passage of the same, with an amendment as follows:

Amend the title by striking out the word "North," and inserting "South."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 443, printed No. 405, entitled "An act to legalize the acts of Franklin O. Whitney as a notary public," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 361, printed No. 335, entitled "An act to establish a ferry from the farm of Henry G. Burleigh, of the county of Essex, across Lake Champlain," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 454, printed No. 416, entitled "An act to amend section three of chapter three hundred and twelve of the Laws of eighteen hundred and thirty-eight, entitled 'An act to appoint trustees of the Jones fund for the support of the poor of the towns of Oyster Bay and North Hempstead, in the county of Queens,'" reported in favor of the passage of the same, with an amendment as follows:

Amended by substituting Senate bill on the same subject, number 296.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 413, printed No. 379, entitled "An act to amend chapter two hundred and ninety-one of the Laws of eighteen hundred and seventy, entitled 'An act for the incorporation of villages,'" reported in favor of the passage of the same, with an amendment as follows:

§ 1. Line thirty-one, strike out the word "during."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 166, printed No. 154, entitled "An act to amend chapter two hundred and fifty-nine of the Laws of eighteen hundred and forty-eight, entitled 'An act to provide for the incorporation of bridge companies, passed April eleventh, eighteen hundred and forty-eight,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 617, printed No. 542, entitled "An act to authorize corporations formed for the erection of buildings to mortgage their property and franchises," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 631, printed No. 185, entitled "An act supplementary to chapter three hundred and sixty-eight of the Laws of eighteen hundred and sixty-five, entitled 'An act for the incorporation of societies or clubs for certain social and recreative purposes,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 332, printed No. 35, entitled "An act to prohibit the construction of buildings, of wood or other combustible materials, in a certain portion of the city of New York," reported in favor of the passage of the same, without amendment.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

*Ordered*, That said bills be engrossed for a third reading.

On motion of Mr. Alvord, and at 1 o'clock and 50 minutes, the House took a recess until 4 P. M.

#### FOUR O'CLOCK, P. M.

The House again met.

Mr. Speaker directed the Clerk to call the roll of members and ascertain if a quorum was present, and the following members answered to their names:

Alvord	Cullinan	Lefever	Steele
Andrews	Curtis	Lindsay	Strait
Baker, B. F.	Davis	McCabe	Tallmadge
Beach	Deane	McDonald	Terpeny
Beates	Douglass	Miller	Terry
Bradley	Fish	Moors	Titus
Bridges	Fiske	Morgan	Tozier
Brodsky	Gillette	Newman	Travis
Carpenter, E. A.	Gorsline	O'Brien	Treanor
Case	Gray	Peck	Tuttle, R. M.
Catlin	Griggs	Phillips	Varnum

Chamberlain	Gwinup	Potts	Warner
Chickering	Hayes	Root	Waterbury
Ohlds	Hoffman	Seeley	Wells, J. L.
Clark	Howland	Sherman	Wren
Comstock	Hurd	Shuit	Youngs
Congdon	Ingersoll	Sipp	Mr. Speaker
Crapser	Kennedy	Skinner	

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A quorum being present, Mr. Speaker announced the special order of the day being the bill entitled "An act to provide for the disposition of a portion of the Chenango canal and what is called and known as the Chenango canal extension and the lands, rights and other property connected therewith."

The House then resolved itself into committee of the whole, on the bill entitled as follows:

"An act to provide for the disposition of a portion of the Chenango canal and what is called and known as the Chenango canal extension, and the lands, rights and other property connected therewith."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Potts, from said committee, reported in favor of the passage of said bill with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Husted offered for the consideration of the House a resolution in the words following:

*Resolved*, That the vote by which Assembly bill No. 524, general orders No. 597, entitled "An act to abolish the office of marshal in the city of New York, and to provide for the appointment of officers in lieu of marshals in said city, and making certain regulations concerning the same," was recommitted to the judiciary committee be reconsidered.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend chapter 519 of the Laws of 1870, entitled 'An act to revise the charter of the city of Buffalo.'"

"An act to repeal chapter 907 of the Laws of 1869, entitled 'An act to amend an act entitled 'An act to authorize the formation of railroad corporations and to regulate the same,' passed April 2, 1850, so as to permit municipal corporations to aid in the construction of railroads, and all laws amendatory thereof.'"

Senate, "An act to authorize the exchange of preferred stock for common stock of corporations."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Gwinup, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Gwinup, from said committee, also reported that they had stricken out the title of the second named bill, which report was agreed to.

Mr. Gwinup, from said committee, also reported in favor of the passage of the last named bill, which report was agreed to and the same ordered to a third reading.

Mr. Steele offered for the consideration of the House a resolution in the words following:

*Resolved*, That Senate bill No. 247, entitled "An act to amend chapter 37 of the Laws of 1855, entitled 'An act amendatory of the

acts for the assessment and collection of taxes," be substituted for Assembly bill No. 520, general orders 595, now on order of third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

A message from the Senate was received and read, informing of concurrence in the passage of the following resolutions:

*Resolved* (if the Senate concur), That a respectful message be sent to His Excellency the Governor requesting the return of Assembly bill No. 135, entitled "An act to amend section 3 of chapter 176 of the Laws of 1876, entitled 'An act supplementary to chapter 60 of the Laws of 1813, entitled 'An act to provide for the incorporation of religious societies,' and the acts supplementary thereto," for the purpose of amendment."

Also,

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor requesting the return of Assembly bill, not printed (introductory No. 974), entitled "An act to amend the charter of the Germania Fire Insurance Company, so as to change the time of election of directors."

*Ordered*, That the Clerk deliver said resolutions to the Governor.

Mr. Bullock offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 578, entitled "An act to regulate the licensing of physicians and surgeons," be considered in the next committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Hayes offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 524, general orders No. 597, entitled "An act to abolish the office of marshal of the city of New York and to provide for the appointment of officers in lieu of marshals in said city, and making certain regulations concerning the same," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Alvord moved to reconsider the vote by which said resolution was adopted.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Mitchell moved to amend said resolution by adding at the end thereof "the next general order day."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

Senate, "An act to reappropriate certain moneys in the treasury for the improvement of the Champlain canal."

"An act entitled 'An act to regulate the licensing of physicians and surgeons.'"

"An act to amend an act entitled 'An act to amend chapter 467 of the Laws of 1862, entitled 'An act to prevent the adulteration of milk, and prevent the traffic in impure and unwholesome milk,' passed May 2, 1864."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Ellis, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and the same ordered to a third reading.

Mr. Ellis, from said committee, also reported in favor of the passage of the second named bill with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Ellis, from said committee, also reported progress on the last named bill, and asked and obtained leave to sit again.

The House again resolved itself into a committee of the whole on the bills entitled as follows :

"An act to repeal chapter 264 of the Laws of 1879, entitled 'An act to amend chapter 467 of the Laws of 1865, entitled 'An act to amend an act entitled 'An act to revise and consolidate the general acts relating to public instruction.'"

"An act to amend chapter 647 of the Laws of 1865, entitled 'An act to amend an act entitled 'An act to revise and consolidate the general acts relating to public instruction,' passed May 2, 1864."

"An act to incorporate an exchange salesroom, in the city of New York, and to designate the place for judicial sales of real estate in the said city."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Brodsky, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Brodsky, from said committee, also reported progress on the last named bill, and asked and obtained leave to sit again.

The hour of 6 having arrived the House adjourned.

### WEDNESDAY MORNING, APRIL 21, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Pelham Williams, of Troy.

The journal of yesterday was read and approved.

By unanimous consent,

Mr. Weston introduced a bill entitled "An act extending the time for collecting taxes in the town of Moriah, county of Essex," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Weston, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 80 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord  
Andrews

Comstock  
Congdon

Kennedy  
Lefever

Sherman  
Shuit

Baker, B. F.	Crapser	Lindsay	Sipp
Baker, C. S.	Cullinan	Low	Skinner
Beach	Curtis	McTernan	Slingerland
Beates	Davis	Miller	Tallmadge
Bradley	Deane	Mitchell	Terpeny
Brennan	Douglass	Mooers	Terry
Bridges	Duell	Morgan	Titus
Brodsky	Ellis	Newman	Tozier
Bullock	Ferris	Nowlan	Travis
Carpenter, E. A.	Fish	Parker	Tuthill, H. H.
Carpenter, I. S.	Fiske	Peck	Tuttle, R. M.
Case	Gillette	Phillips	Varnum
Catlin	Gorsline	Potter	Waterbury
Chamberlain	Gwinup	Potts	Wells, J. L.
Chase	Havens	Rhodes	Weston
Chickering	Hoffman	Root	Wren
Childs	Howland	Russell	Youngs
Clark	Ingersoll	Seeley	Mr. Speaker

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order of the day being the bill entitled "An act to suppress intemperance, by regulating the sale, keeping and disposal of strong, spirituous and intoxicating liquors, wines, ale and beer, in the city of New York."

The House then resolved itself into a committee of the whole on the bill entitled as follows:

"An act to suppress intemperance, by regulating the sale, keeping and disposal of strong, spirituous and intoxicating liquors, wines, ale and beer, in the city of New York."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Douglass, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Varnum moved to discharge the committee of the whole from the further consideration of said bill, and that the same be ordered engrossed for a third reading.

After debate,

Mr. Varnum moved the previous question.

Mr. Speaker put the question "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Varnum, and it was determined in the negative.

{ AYES 15 }  
{ NOES 59 }

Those who voted in the affirmative, were

Beach	Duell	Sisson	Van Valkenburgh
Carpenter, E. A.	Gorsline	Tallmadge	Varnum
Carpenter, I. S.	Gray	Terpeny	Youngs
Douglass	Morgan	Tuthill, H. H.	

Those who voted in the negative, were

Alvord	Clark	Ingersoll	Seeley
Andrews	Comstock	Kennedy	Sherman
Beates	Crapser	Lefever	Sipp
Bennett	Cullinan	Lindsay	Skinner
Bradley	Curtis	Low	Strait
Brennan	Davis	McCabe	Terry

Bridges	Duguid	Miller	Thilemann
Brodsky	Ellis	Moors	Titus
Bullock	Evans	Newman	Tormey
Case	Ferris	Parker	Tozier
Catlin	Fish	Peck	Treanor
Chamberlain	Gibbs	Phillips	Waterbury
Chase	Griggs	Potts	Wells, D. A.
Chickering	Gwinup	Rhodes	Wren
Childs	Howland	Russell	

By unanimous consent,

Mr. Steele offered for the consideration of the House a resolution in the words following :

*Resolved*, That bill No. 401, entitled "An act to amend chapter 13 of part 1 of the Revised Statutes," and bill No. 582, entitled "An act to amend title 2 of chapter 13 of part 1 of the Revised Statutes, in relation to assessments," be made a special order for Thursday, April 29, 1880, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Privileges of the floor were granted to Hon. Elijah Moody, former member of this House.

Pursuant to the ninth joint rule, Mr. Speaker announced the order of business, third reading of bills.

The bill entitled "An act concerning the supply of pure and wholesome water for the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 4 }

Those who voted in the affirmative, were

Alvord	Crapser	Kennedy	Strait
Andrews	Cullinan	Lefever	Tallmadge
Baker, B. F.	Curtis	Liddle	Terpeny
Baker, C. S.	Davis	McDonald	Terry
Beach	Douglass	Miller	Titus
Beates	Duell	Mitchell	Tozier
Benedict, E. D.	Duguid	Morgan	Travis
Bradley	Ellis	Nowlan	Treanor
Bridges	Evans	Peck	Tuthill, H. H.
Brodsky	Ferris	Phillips	Tuttle, R. M.
Bullock	Fish	Potter	Van Valkenburgh
Carpenter, I. S.	Fiske	Potts	Varnum
Case	Gillette	Root	Warner
Catlin	Gorsline	Russell	Waterbury
Chamberlain	Griggs	Seeley	Wells, J. L.
Chase	Hoffman	Shuit	Weston
Childs	Howland	Sipp	Wren
Clark	Hurd	Sisson	Youngs
Comstock	Husted	Skinner	Mr. Speaker
Congdon	Ingersoll	Slingerland	

Those who voted in the negative, were

Gibbs	Gwinup	Havens	Thilemann
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*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 260 of the Laws of 1867, entitled 'An act to incorporate the village of Coxsackie,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapsier	Liddle	Sisson
Andrews	Curtis	Low	Skinner
Baker, B. F.	Davis	McCabe	Slingerland
Baker, C. S.	Douglass	McDonald	Steele
Beach	Duell	McTernan	Strait
Beates	Duguid	Miller	Tallmadge
Benedict, E. D.	Ellis	Mitchell	Terpeny
Benedict, T. E.	Evans	Mooers	Terry
Brennan	Ferris	Morgan	Thilemann
Brodsky	Fish	Newman	Titus
Bullock	Fiske	Nowlan	Tozier
Carpenter, E. A.	Gillette	Parker	Travis
Carpenter, I. S.	Gorsline	Peck	Treanor
Case	Griggs	Phillips	Tuthill, H. H.
Catlin	Gwinup	Potter	Tuttle, R. M.
Chamberlain	Havens	Potts	Van Valkenburgh
Chase	Hoffman	Rhodes	Warner
Chickering	Howland	Root	Waterbury
Childs	Hurd	Russell	Wells, J. L.
Clark	Ingersoll	Seeley	Weston
Comstock	Kennedy	Shuit	Wren
Congdon	Lefever	Sipp	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. C. S. Baker, from the committee on insurance, to which was recommitted the bill introduced by Mr. Tallmadge (introductory No. 781), entitled "An act to further regulate the admission to this State of fire insurance companies from other countries than the United States, and to prohibit the making and publishing of false statements and reports," with instructions to report back the same April 21, reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

The bill entitled "An act to authorize the lighting of public streets and avenues in the town of Westchester, in the county of Westchester," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	McCabe	Steele
Andrews	Davis	McDonald	Strait



Baker, B. F.	Deane	McTernan	Tallmadge
Baker, C. S.	Douglass	Miller	Terpeny
Beach	Duell	Mitchell	Terry
Beates	Duguid	Moors	Thilemann
Benedict, E. D.	Ellis	Morgan	Titus
Benedict, T. E.	Ferris	Newman	Tormey
Bradley	Fish	Nowlan	Tozier
Brennan	Fiske	Parker	Treanor
Bridges	Gillette	Peck	Tully
Brodsky	Gorsline	Potter	Tuthill, H. H.
Bullock	Griggs	Potts	Tuttle, R. M.
Carpenter, E. A.	Gwinup	Rhodes	Van Valkenburgh
Carpenter, I. S.	Hoffman	Root	Varnum
Case	Howland	Russell	Warner
Catlin	Hurd	Sanders	Waterbury
Chase	Husted	Seeley	Wells, D. A.
Chickering	Ingersoll	Sherman	Wells, J. L.
Childs	Kennedy	Shuit	Weston
Clark	Lefever	Sipp	Wren
Comstock	Liddle	Sisson	Youngs
Congdon	Low	Skinner	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence therein.

The bill entitled "An act to amend chapter 271 of the Laws of 1834, entitled 'An act for establishing a justices' court in the city of Troy,' and the several acts amendatory thereof and supplemental thereto, and also to amend chapter 56 of the Laws of 1848, entitled 'An act to provide for the election of the justices and the clerk of the justices' court in and for the city of Troy, and the appointment of a marshal, and the several acts amendatory thereof and supplemental thereto, and also to amend chapter 18 of the Laws of 1876, entitled 'An act in relation to the police court and justices' court of the city of Troy,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Ingersoll	Sisson
Andrews	Crapeer	Kennedy	Skinner
Baker, B. F.	Cullinan	Lefever	Slingerland
Baker, C. S.	Curtis	Liddle	Tallmadge
Beach	Davis	Low	Terpeny
Beates	Deane	McCabe	Terry
Benedict, E. D.	Douglass	Miller	Titus
Bennett	Duell	Mitchell	Tozier
Bradley	Duguid	Moors	Travis
Brennan	Evaas	Morgan	Treanor
Bridges	Ferris	Newman	Tuthill, H. H.
Brodsky	Fish	Nowlan	Tuttle, R. M.
Bullock	Fiske	Peck	Van Valkenburgh
Carpenter, E. A.	Gibbs	Phillips	Varnum
Carpenter, I. S.	Gillette	Potts	Warner
Case	Gorsline	Rhodes	Waterbury
Chamberlain	Gray	Root	Wells, D. A.

Chase	Griggs	Russell	Wells, J. L.
Chickering	Hoffman	Sanders	Weston
Childs	Howland	Seeley	Wren
Clark	Hurd	Shuit	Youngs
Comstock	Husted	Sipp	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. E. A. Carpenter moved to take from the table the motion to reconsider the vote by which the bill entitled "An act to authorize Henry Fordham and George W. Tuttle to establish, maintain and operate a ferry across the Great South bay, in Suffolk county," was lost.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the affirmative.

{ AYES 79 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Clark	Howland	Shuit
Andrews	Comstock	Hurd	Sipp
Baker, B. F.	Congdon	Ingersoll	Sisson
Baker, C. S.	Craiser	Kennedy	Skinner
Beach	Cullinan	Lefever	Steele
Benedict, E. D.	Curtis	Liddle	Strait
Benedict, T. E.	Davis	Low	Tallmadge
Bennett	Douglass	McCabe	Terpeny
Bradley	Duell	Miller	Terry
Brennan	Duguid	Mitchell	Titus
Bridges	Ellis	Mooers	Travis
Brodsky	Evans	Morgan	Treanor
Bullock	Fish	Nowlan	Tuthill, H. H.
Carpenter, E. A.	Fiske	Peck	Tuttle, R. M.
Carpenter, I. B.	Gillette	Potter	Warner
Case	Gorsline	Potts	Waterbury
Catlin	Gray	Rhodes	Wells, D. A.
Chamberlain	Griggs	Root	Wells, J. L.
Chase	Havens	Seeley	Weston
Childs	Hoffman	Sherman	

Those who voted in the negative, were

Gibbs Newman

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 78 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Cullinan	Lefever	Sipp
Andrews	Curtis	Liddle	Skinner
Baker, B. F.	Davis	Low	Slingerland
Baker, C. S.	Deane	McCabe	Steele
Beach	Douglass	Miller	Strait
Benedict, E. D.	Duell	Mitchell	Tallmadge
Benedict, T. E.	Duguid	Mooers	Terpeny

Bennett	Ellis	Morgan	Titus
Brennan	Evans	Nowlan	Travis
Bridges	Fish	Parker	Treanor
Brodsky	Fiske	Peck	Tuthill, H. H.
Bullock	Gorsline	Phillips	Tuttle, R. M.
Carpenter, E. A.	Gray	Potter	Van Valkenburgh
Carpenter, I. S.	Griggs	Potts	Varnum
Catlin	Gwinup	Root	Warner
Chamberlain	Hoffman	Russell	Waterbury
Chase	Howland	Seeley	Wells, D. A.
Childs	Hurd	Sherman	Wells, J. L.
Clark	Ingersoll	Shuit	Weston
Congdon	Kennedy		

Those who voted in the negative, were

Gibbs Newman

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 520 of the Laws 1865, entitled 'An act to amend title 1 of chapter 16 of the first part of the Revised Statutes, in regard to roads and bridges and the appointment of overseers of highways,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Comstock	Hurd	Seeley
Andrews	Congdon	Ingersoll	Shuit
Baker, B. H.	Curtis	Kennedy	Sipp
Baker, C. S.	Davis	Lefever	Skinner
Beach	Deane	Liddle	Slingerland
Beates	Douglass	Low	Steele
Benedict, E. D.	Duell	McCabe	Strait
Benedict, T. E.	Duguid	McDonald	Tallmadge
Bennett	Ellis	Miller	Terpeny
Bradley	Evans	Mitchell	Titus
Brennan	Ferris	Mooers	Tozier
Bridges	Fish	Morgan	Travis
Bredsky	Fiske	Newman	Treanor
Carpenter, E. A.	Gibbs	Nowlan	Tuthill, H. H.
Carpenter, I. S.	Gillette	Peck	Tuttle, R. M.
Case	Gorsline	Phillips	Van Valkenburgh
Catlin	Gray	Potter	Warner
Chamberlain	Griggs	Potts	Waterbury
Chase	Gwinup	Root	Wells, D. A.
Childs	Hoffman	Russell	Wells, J. L.
Clark	Howland	Sanders	Weston

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to incorporate the National Tent of the National Order of Rechabites," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members present voting in favor thereof.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Comstock	Hurd	Sanders
Andrews	Congdon	Ingersoll	Seeley
Baker, B. F.	Curtis	Kennedy	Shuit
Baker, C. S.	Davis	Lefever	Sipp
Beach	Deane	Liddle	Skinner
Benedict, T. E.	Douglass	Low	Steele
Bennett	Duell	McCabe	Strait
Bradley	Duguid	Miller	Tallmadge
Brennan	Ellis	Mitchell	Terpeny
Bridges	Evans	Mooers	Titus
Brodsky	Ferris	Morgan	Tozier
Bullock	Fish	Newman	Travis
Carpenter, E. A.	Fiske	Nowlan	Treanor
Carpenter, I. S.	Gibbs	Parker	Tuttle, R. M.
Case	Gillette	Peck	Varnum
Catlin	Gorsline	Phillips	Warner
Chamberlain	Gray	Potts	Waterbury
Chase	Griggs	Rhodes	Wells, D. A.
Chickering	Gwinup	Root	Wells, J. L.
Childs	Hoffman	Russell	Weston
Clark	Howland		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the relief of Young Men's Hebrew Association of Harlem," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Kennedy	Shanley
Andrews	Cullinan	Lefever	Sherman
Baker, B. F.	Curtis	Liddle	Shuit
Baker, C. S.	Davis	Low	Sipp
Beach	Deane	McCabe	Skinner
Benedict, E. D.	Douglass	McDonald	Steele
Benedict, T. E.	Duell	Miller	Strait
Bennett	Duguid	Mitchell	Tallmadge
Bradley	Ellis	Mooers	Terpeny
Brennan	Evans	Morgan	Terry
Brodsky	Fish	Nowlan	Titus
Bullock	Fiske	Parker	Tormey
Carpenter, E. A.	Gibbs	Peck	Travis
Case	Gorsline	Phillips	Treanor
Catlin	Gray	Potter	Tuthill, H. H.
Chamberlain	Griggs	Potts	Tuttle, R. M.
Chase	Hoffman	Rhodes	Van Valkenburgh
Chickering	Howland	Root	Varnum
Childs	Hurd	Russell	Warner
Clark	Husted	Sanders	Wells, D. A.
Comstock	Ingersoll	Seeley	Weston
Congdon			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the dissolution of union free school districts in certain cases," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Ingersoll	Sherman
Andrews	Curtis	Kennedy	Shuit
Baker, B. F.	Davis	Lefever	Sipp
Beach	Deane	Liddle	Sisson
Beates	Douglass	Lindsay	Skinner
Benedict, E. D.	Duell	Low	Slingerland
Benedict, T. E.	Duguid	Miller	Strait
Bennett	Ellis	Mitchell	Tallmadge
Bradley	Evans	Mooers	Terpeny
Brennan	Ferris	Morgan	Terry
Bridges	Fish	Newman	Titus
Brodsky	Fiske	Nowlan	Tozier
Bullock	Gibbs	Parker	Travis
Carpenter, E. A.	Gillette	Peck	Treanor
Case	Gorsline	Phillips	Tuthill, H. H.
Cadwin	Gray	Potter	Tuttle, R. M.
Chamberlain	Griggs	Potts	Van Valkenburgh
Chase	Gwinup	Root	Varnum
Chickering	Hoffman	Russell	Warner
Childs	Howland	Sanders	Waterbury
Clark	Hurd	Seeley	Wells, D. A.
Congdon	Husted	Shanley	Wells, J. L.
Crapser			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the bill entitled "An act to establish a local court of civil jurisdiction in the city of Buffalo, to be called the municipal court of Buffalo, and to amend the charter of said city," with a message that they had concurred in the passage of the same, with the following amendments:

In section 5, line 3, after the word "Buffalo" insert the following: "each of said judges may hold a separate court at the same time;" section 5, line 7, strike out the words "and shall have," and insert "said court shall have and possess the same powers and;" same section, line 8, after "dictum" insert "as are now possessed or exercised by justices of the peace in the city of Buffalo (except as herein provided);" same section, subdivision 8, line 2, after the word "peace" insert "or in said municipal court of Buffalo;" subdivision 9, line 3, strike out "three" and insert "five;" subdivision 14, line 4, strike out all after the word "dollars" down to and including the word "Buffalo;" in line 6, strike out all of subdivision 15.

Sec. 11. Strike out after the words "the peace," in line 14, down to and including the word "court," in line 23; same section, lines 26 and 27, strike out the words "mentioned in said sections and sub-

divisions;" same section, strike out all after the word "city," in line 33, down to and including the word "constable," in line 45.

Sec. 14, lines 6 and 7, strike out "seven hundred and fifty," and insert "one thousand."

Strike out all of sections 16 and 17, and insert the following :

Sec. 16. Except as is herein otherwise provided the said municipal court shall have the power to open defaults and set aside judgments rendered and entered therein, and executions issued thereon, upon such terms as may be just, in a case where the defendant shall fail to appear on the return day of process or on any adjourned day, where it is shown that manifest injustice has been done and the defendant satisfactorily excuses his default; but no greater terms shall be imposed than the payment of the costs included in the judgment and the sum of three dollars for opposing the motion. The application therefor shall be founded upon affidavits, and shall be made within twenty days from the entry of such judgment. Upon presentation of such application the said municipal court shall issue an order returnable in not less than five, nor more than eight days, requiring the plaintiff to show cause, if any, why said judgment should not be set aside. A copy of said order and of the papers upon which the same is granted shall be served upon the plaintiff, or his attorney, if one shall have appeared in the action, not less than three days prior to the return day thereof. Pending such application and the determination thereof the said municipal court may stay proceedings under any execution which shall have been issued. When a judgment shall be set aside the action shall proceed as though no judgment had been rendered. In such a case where an execution has been issued and a levy made thereunder, the same may, in the discretion of the court, be allowed to stand as a security for the satisfaction of any judgment the plaintiff may finally recover.

Where a transcript of a judgment of said municipal court shall have been filed in a case provided for in the sixth section of this act, the Superior Court of Buffalo shall have power and authority to open the default and set aside such judgment in the case above provided and all proceedings thereon, and to order a new trial in said municipal court upon such terms as may be just.

The practice in said Superior Court of Buffalo upon such application shall be the same as is herein provided for like proceedings in said municipal court, except as is herein otherwise provided.

A judge of the Superior Court of Buffalo may, at chambers, issue the order to show cause returnable at a special motion term of said Superior Court of Buffalo, and such application may be heard and determined at said special motion term.

Upon application to the Superior Court of Buffalo, the defendant must show that prior to the filing of such transcript no application was made to the municipal court for like relief. The Superior Court of Buffalo or a judge thereof, may stay proceedings under any execution issued upon said judgment pending such application.

The judgment and any execution and levy thereunder may be allowed to stand as a security for the satisfaction of any judgment the plaintiff may finally recover in case a new trial shall be ordered in said municipal court.

The provisions of this section are in addition to the right of appeal now provided by law from judgments obtained in justices' courts in the city of Buffalo.

Sec. 17. No successor shall either be elected or appointed to the two justices of the peace in said city whose terms of office shall expire first after the passage of this act, but as the terms of said justices shall respectively expire, the number of justices of the peace in said city shall be correspondingly reduced, so that the number of justices of the peace in said city shall be regularly but two in number, not including the justice of the peace of the twelfth ward. But the justices of the peace hereafter to be elected or appointed in said city, including the justice of the peace of the twelfth ward, shall have no civil jurisdiction whatever. Nothing in this act contained shall be construed as affecting the powers and the jurisdiction of the persons now holding the office of justice of the peace in said city, including the justice of the peace of the twelfth ward, during their respective terms. Hereafter, no person shall be elected to the office of justice of the peace in the thirteenth ward.

All acts and parts of acts inconsistent with this act, and all provisions of the charter of the city of Buffalo, in relation to a justice court in said city, inconsistent with this act, are hereby repealed.

Sec. 18. This act shall take effect immediately.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Kennedy	Shuit
Andrews	Cullinan	Lefever	Sipp
Baker, B. F.	Curtis	Liddle	Skinner
Beach	Davis	Lindsay	Steele
Beates	Deane	Low	Strait
Benedict, E. D.	Douglass	Miller	Tallmadge
Bradley	Duell	Mitchell	Terpeny
Brennan	Duguid	Mooers	Terry
Bridges	Evans	Morgan	Titus
Brodsky	Ferris	Newman	Tozier
Bullock	Fish	Nowlan	Travis
Carpenter, E. A.	Fiske	O'Brien	Treanor
Carpenter, I. S.	Gibbs	Parker	Tuthill, H. H.
Case	Gorsline	Peck	Tuttle, R. M.
Catlin	Gray	Phillips	Varnum
Chase	Griggs	Potts	Warner
Chickering	Hoffman	Root	Waterbury
Childs	Howland	Russell	Wells, D. A.
Clark	Hurd	Sanders	Wells, J. L.
Comstock	Husted	Seeley	Weston
Congdon	Ingersoll	Sherman	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The bill entitled "An act to repeal section 3 of chapter 683 of the Laws of 1873, entitled 'An act to provide for the extension of the New York, Kingston and Syracuse railroad,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Comstock	Ingersoll	Sipp
Andrews	Cullinan	Kennedy	Sisson
Baker, B. F.	Curtis	Lefever	Skinner
Baker, C. S.	Davis	Liddle	Slingerland
Beach	Deane	Low	Steele
Beates	Douglass	McDonald	Strait
Benedict, E. D.	Duell	Miller	Tallmadge
Bradley	Duguid	Mitchell	Terpeny
Brennan	Ellis	Mooers	Terry
Bridges	Evans	Morgan	Titus
Brodsky	Ferris	Newman	Tozier
Bullock	Fish	Nowlan	Travis
Carpenter, E. A.	Fiske	Peck	Tuthill, H. H.
Carpenter, I. S.	Gibbs	Phillips	Tuttle, R. M.
Case	Gorsline	Potter	Van Valkenburgh
Catlin	Gray	Potts	Varnum
Chamberlain	Griggs	Root	Warner
Chase	Hoffman	Russell	Waterbury
Chickering	Howland	Sanders	Wells, D. A.
Childs	Hurd	Shanley	Wells, J. L.
Clark	Husted	Shuit	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the comptroller to admit the unpaid taxes of the year 1879, assessed upon lands in the several counties of the State which were bid in by the State at the tax sale of 1877, and to which the State acquired title from said tax sale," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Lefever	Skinner
Andrews	Davis	Liddle	Slingerland
Baker, B. F.	Deane	Lindsay	Steele
Beach	Duell	Miller	Strait
Beates	Duguid	Mitchell	Tallmadge
Benedict, E. D.	Ellis	Mooers	Terpeny
Bradley	Evans	Morgan	Terry
Brennan	Ferris	Newman	Titus
Bridges	Fish	Nowlan	Tormey
Brodsky	Fiske	Parker	Tozier
Bullock	Gibbs	Peck	Travis
Carpenter, E. A.	Gillette	Phillips	Tully
Carpenter, I. S.	Gorsline	Potter	Tuthill, H. H.
Case	Gray	Potts	Tuttle, R. M.
Catlin	Griggs	Rhodes	Van Valkenburgh
Chamberlain	Gwinup	Root	Warner
Chase	Havens	Russell	Waterbury
Chickering	Hoffman	Sanders	Wells, D. A.



Childs	Howland	Seeley	Wells, J. L.
Clark	Hurd	Shuit	Weston
Comstock	Husted	Sipp	Wiley
Congdon	Ingersoll	Sisson	Youngs
Cullinan	Kennedy		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to legalize the official acts of the supervisor of the town of Eden, Erie county, performed instead of commissioners, provided for by chapter 907 of the Laws of 1869," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 91 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Ingersoll	Sisson
Andrews	Cullinan	Kennedy	Skinner
Baker, B. F.	Curtis	Lefever	Slingerland
Baker, C. S.	Davis	Liddle	Steele
Beach	Deane	Lindsay	Strait
Beates	Douglass	Miller	Tallmadge
Benedict, E. D.	Duell	Mitchell	Terpenv
Benedict, T. E.	Duguid	Mooers	Titus
Bradley	Ellis	Morgan	Tormey
Brennan	Evans	Newman	Tozier
Bridges	Ferris	Nowlan	Travis
Brodsky	Fish	Parker	Treanor
Bullock	Fiske	Peck	Tuthill, H. H.
Carpenter, E. A.	Gibbs	Phillips	Tuttle, R. M.
Carpenter, I. S.	Gillette	Potter	Van Valkenburgh
Oase	Gorsline	Potts	Varnum
Oatlin	Gray	Rhodes	Warner
Chamberlain	Griggs	Root	Waterbury
Chase	Gwinup	Russell	Wells, D. A.
Chickering	Hoffman	Seeley	Wells, J. L.
Childs	Howland	Shanley	Weston
Clark	Hurd	Sherman	Youngs
Comstock	Husted	Sipp	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to runners or solicitors of passengers or patronage for steamers, steamboats, ships, vessels, hotels, railroads or transportation companies in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Husted	Shuit
Andrews	Curtis	Ingersoll	Sipp

Baker, B. F.	Davis	Kennedy	Skinner
Baker, O. S.	Deane	Lefever	Slingerland
Beach	Douglass	Liddle	Steele
Beates	Duell	Miller	Strait
Benedict, E. D.	Duguid	Mitchell	Tallmadge
Benedict, T. E.	Ellis	Mooers	Terpeny
Brennan	Evans	Morgan	Titus
Bridges	Ferris	Newman	Tormey
Brodsky	Fish	Nowlan	Tozier
Bullock	Fiske	O'Brien	Travis
Carpenter, E. A.	Fitzgerald	Parker	Treanor
Carpenter, I. S.	Gibbs	Peck	Tuthill, H. H.
Case	Gillette	Phillips	Tuttle, R. M.
Catlin	Gorsline	Potter	Varnum
Chamberlain	Gray	Potts	Warner
Chase	Griggs	Root	Waterbury
Chickering	Gwinup	Russell	Wells, D. A.
Childs	Hoffman	Sanders	Wells, J. L.
Clark	Howland	Seeley	Weston
Comstock	Hurd	Sherman	Youngs
Congdon			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Andrews offered for the consideration of the House a resolution in the words following :

*Resolved*, That the committee of the whole be discharged from the further consideration of Senate bill, printed No. 223; entitled "An act to amend chapter 391 of the Laws of 1878, entitled 'An act authorizing the city of Binghamton to use a portion of the Chenango canal for a public street,'" and that the same do now have its third reading.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The bill entitled "An act in relation to the keeping open of the offices of the register, county clerk and county treasurer of the county of Westchester," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 87 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Husted	Shuit
Andrews	Cullinan	Ingersoll	Sipp
Baker, B. F.	Curtis	Kennedy	Skinner
Beach	Davis	Lefever	Slingerland
Beates	Deane	Liddle	Steele
Benedict, E. D.	Douglass	Low	Strait
Benedict, T. E.	Duell	Miller	Tallmadge
Bradley	Duguid	Mitchell	Terpeny
Brennan	Ellis	Mooers	Terry
Bridges	Evans	Morgan	Tozier
Brodsky	Ferris	Newman	Travis
Bullock	Fish	Nowlan	Treanor

Carpenter, E. A.	Fiske	Parker	Tuthill, H. H.
Carpenter, I. S.	Gibbs	Peck	Tuttle, R. M.
Case	Gillette	Phillips	Van Valkenburgh
Catlin	Gorsline	Potter	Varnum
Chamberlain	Gray	Potts	Warner
Chase	Gwinup	Roberts	Waterbury
Chickering	Havens	Root	Wells, J. L.
Childs	Hoffman	Russell	Weston
Clark	Howland	Sanders	Youngs
Comstock	Hurd	Sherman	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to amend chapter 391 of the Laws of 1878, entitled "An act authorizing the city of Binghamton to use a portion of the Chenango canal as a public street,"" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Lefever	Sipp
Andrews	Cullinan	Liddle	Skinner
Baker, B. F.	Curtis	McAvoy	Slingerland
Baker, C. S.	Davis	McCabe	Steele
Beach	Deane	McDonald	Strait
Beates	Douglass	Miller	Tallmadge
Benedict, E. D.	Duell	Moors	Terpeny
Benedict, T. E.	Ellis	Morgan	Terry
Bradley	Ferris	Nowlan	Titus
Brennan	Fish	Parker	Tozier
Bridges	Gibbs	Peck	Travis
Brodskey	Gorsline	Pitcher	Treanor
Bullock	Gray	Potter	Tuthill, H. H.
Carpenter, E. A.	Griggs	Rhodes	Tuttle, R. M.
Carpenter, I. S.	Gwinup	Root	Varnum
Catlin	Havens	Russell	Warner
Chamberlain	Hoffman	Sanders	Wells, D. A.
Chase	Hurd	Seeley	Wells, J. L.
Chickering	Husted	Sherman	Weston
Comstock	Ingersoll	Shuit	Wiley
Congdon	Kennedy		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Titus, from the sub-committee of the whole, presented a report from said committee; which was laid on the table and ordered printed.  
(See Doc. No. 121.)

The bill entitled "An act to confirm the title to real estate now held or hereafter acquired by resident aliens," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 88 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Ingersoll	Sherman
Andrews	Curtis	Kennedy	Shuit
Baker, B. F.	Davis	Lefever	Sipp
Baker, C. S.	Deane	Liddle	Skinner
Beach	Douglass	Low	Slingerland
Beates	Duell	McCabe	Strait
Benedict, E. D.	Duguid	McDonald	Tallmadge
Benedict, T. E.	Ellis	Miller	Terpeny
Bennett	Evans	Mitchell	Terry
Bradley	Ferris	Morgan	Titus
Bridges	Fish	Newman	Tozier
Brodaky	Fiske	Nowlan	Travis
Bullock	Gillette	Parker	Treanor
Carpenter, E. A.	Gorsline	Peck	Tuthill, H. H.
Carpenter, I. S.	Gray	Phillips	Tuttle, R. M.
Catlin	Griggs	Potter	Varnum
Chamberlain	Gwinup	Potts	Warner
Chase	Havens	Rhodes	Wells, J. L.
Childs	Hoffman	Root	Weston
Comstock	Howland	Russell	Wiley
Congdon	Hurd	Sanders	Youngs
Crapser	Husted	Seeley	Mr. Speaker

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act conferring jurisdiction on the canal appraisers to determine the amount of damages to which the Port Byron school district, in the town of Mentz, in the county of Cayuga, is entitled to by reason of certain acts of this State," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 72 }  
{ NOES 5 }

Those who voted in the affirmative, were

Alvord	Congdon	Kennedy	Sherman
Baker, B. F.	Cullinan	Lefever	Sipp
Baker, C. S.	Curtis	Liddle	Skinner
Beach	Deane	McCabe	Slingerland
Beates	Douglass	McDonald	Steele
Benedict, E. D.	Duell	Miller	Strait
Benedict, T. E.	Evans	Mitchell	Terpeny
Bradley	Ferris	Moors	Terry
Bridges	Fish	Morgan	Titus
Brodaky	Gillette	Newman	Tozier
Bullock	Gorsline	Nowlan	Travis
Carpenter, E. A.	Gray	Parker	Tuthill, H. H.
Carpenter, I. S.	Griggs	Phillips	Tuttle, R. M.
Case	Gwinup	Potts	Varnum
Catlin	Howland	Root	Waterbury
Chamberlain	Hurd	Sanders	Wells, J. L.
Chase	Husted	Seeley	Weston
Childs	Ingersoll	Shanley	Youngs

Those who voted in the negative, were

Grapsier	Hoffman	Potter	Rhodes
Ellis			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act in relation to the indebtedness of the towns of Attica and Java, in the county of Wyoming," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Congdon	Hurd	Seeley
Andrews	Cullinan	Husted	Shanley
Baker, B. F.	Curtis	Ingersoll	Shuit
Baker, C. S.	Deane	Kennedy	Skinner
Beach	Douglass	Lefever	Strait
Beates	Duell	Liddle	Tallmadge
Benedict, E. D.	Duguid	Lindsay	Terpeny
Benedict, T. E.	Ellis	McCabe	Terry
Bennett	Evans	McDonald	Titus
Bradley	Ferrie	Miller	Tozier
Bridges	Fish	Mitchell	Travis
Brodsky	Gibbs	Mooers	Tuthill, H. H.
Bullock	Gillette	Morgan	Tuttle, R. M.
Carpenter, E. A.	Gorsline	Newman	Warner
Carpenter, I. S.	Gray	Nowlan	Waterbury
Case	Griggs	Potter	Wells, J. L.
Catlin	Gwinup	Potts	Weston
Chase	Havens	Root	Wiley
Childs	Hoffman	Sanders	Youngs
Comstock	Howland		

Those who voted in the negative, were

Grapsier

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to ascertain by proper proofs the citizens who shall be entitled to the right of suffrage in cities of 16,000 inhabitants or upwards, and the towns and villages abutting against the boundary of any such cities," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 71 }  
{ NOES 24 }

Those who voted in the affirmative, were

Alvord	Curtis	Liddle	Skinner
Baker, B. F.	Davis	Lindsay	Tallmadge

Baker, C. S.	Deane	Low	Terpeny
Beach	Duell	McCabe	Terry
Beates	Duguid	Miller	Titus
Bradley	Evans	Mitchell	Tozier
Bridges	Ferris	Mooers	Travis
Brodsky	Fish	Morgan	Tuttle, R. M.
Bullock	Gillette	Nowlan	Varnum
Carpenter, E. A.	Gorsline	Peck	Warner
Carpenter, I. S.	Gray	Phillips	Waterbury
Case	Griggs	Pitcher	Wells, D. A.
Chamberlain	Gwinup	Potts	Wells, J. L.
Chase	Howland	Root	Weston
Childs	Husted	Russell	Wren
Comstock	Ingersoll	Seeley	Youngs
Congdon	Kennedy	Shuit	Mr. Speaker
Crapser	Lefever	Sipp	

Those who voted in the negative, were

Andrews	Ellis	McTernan	Shanley
Benedict, E. D.	Gibbs	Newman	Slingerland
Benedict, T. E.	Havens	Parker	Strait
Bennett	Hoffman	Potter	Thilemann
Clark	Hurd	Rhodes	Tormey
Cullinan	McDonald	Sanders	Treanor

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to assessments for taxes in the village of Ellenville," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Cullinan	Ingersoll	Sipp
Andrews	Curtis	Kennedy	Skinner
Baker, B. F.	Deane	Lefever	Slingerland
Baker, C. S.	Douglass	Liddle	Strait
Beach	Duell	Lindsay	Tallmadge
Beates	Duguid	Low	Terpeny
Benedict, T. E.	Ellis	Miller	Terry
Bradley	Evans	Mitchell	Thilemann
Brennan	Ferris	Mooers	Titus
Bridges	Fish	Nowlan	Tormey
Brodsky	Gibbs	Parker	Tozier
Carpenter, E. A.	Gillette	Phillips	Treanor
Carpenter, I. S.	Gorsline	Potts	Tuttle, R. M.
Case	Griggs	Rhodes	Varnum
Chase	Gwinup	Root	Waterbury
Childs	Havens	Russell	Wells, J. L.
Clark	Hoffman	Seeley	Weston
Comstock	Howland	Shanley	Wiley
Congdon	Hurd	Shuit	Youngs
Crapser			

Those who voted in the negative, were

McDonald

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 123 of the Laws of 1874, entitled 'An act to amend the charter of the Hudson Suspension Bridge and New England Railway Company,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Low	Skinner
Baker, B. F.	Deane	McCabe	Slingerland
Baker, C. S.	Douglass	Miller	Strait
Beach	Duell	Mitchell	Tallmadge
Beates	Ellis	Mooers	Terpeny
Benedict, E. D.	Ferris	Morgan	Terry
Benedict, T. E.	Fish	Nowlan	Thilemann
Bradley	Gillette	Parker	Torney
Brennan	Gorsline	Peck	Tozier
Bridges	Gray	Phillips	Travis
Brodsky	Griggs	Potter	Tuthill, H. H.
Bullock	Gwinup	Potts	Tuttle, R. M.
Carpenter, I. S.	Hoffman	Rhodes	Van Valkenburgh
Case	Howland	Root	Warner
Chase	Hurd	Russell	Waterbury
Childs	Husted	Sanders	Wells, D. A.
Clark	Ingersoll	Seeley	Wells, J. L.
Comstock	Kennedy	Shanley	Weston
Congdon	Lefever	Shuit	Wren
Crapser	Liddle	Sipp	Youngs
Oullinan	Lindsay		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Brennan offered for the consideration of the House a resolution in the words following :

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor requesting the return of Assembly bill No. 277, entitled "An act conferring additional powers upon the board of supervisors of Franklin county," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Travis introduced a bill entitled "An act to extend the time for the collection of taxes in the town of Cortlandt, in the county of Westchester," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Travis, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

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